

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(227) No. 224 of 2021

Smt. Sarita Meshram Rangari W/o Shri Arvind Rangari D/o Shri R. H. Meshram Aged About 42 Years R/o House No. 134, Street No. 1, Ward No. 10 (Old Ward No. 11), Shanti Nagar Bhilai, Tahsil and District Durg Chhattisgarh.

---- Petitioner

Versus

1. Dhananjay Singh S/o Ram Naresh Singh Aged About 40 Years R/o House No. 135, Street No. 1, Shanti Nagar, Bhilai, Tahsil And District Durg Chhattisgarh
2. Ramesh Agrawal S/o Babu Lal Agrawal (Jalebi Wala) Aged About 45 Years R/o Ward No. 08, Aarya Nagar, Kohka, tahsil and District Durg Chhattisgarh
3. Smt. Rajrani Singh (Dead) Through Rajesh Agrawal Aged About 45 Years Through Kalvindr Singh, Kohka Bhilai, District Durg Chhattisgarh At Present R/o Hil Colony, College Road, Rani Boutique Aam Post Kulti, District Assansol Vardhman, West Bengal
4. Kalvinder Singh S/o Late Pyara Singh Aged About 50 Years R/o Near Lal Lakaddi Aara Mill, Chandra Nagar, Kohka Bhilai, Tahsil And District Durg Chhattisgarh
5. Smt. Jaginder Kaur W/o Dalveer Singh Aged About 60 Years R/o Qrt. No. 104, Street No. 1, Shanti Nagar, Kohka, Bhilai, Tahsil And District Durg Chhattisgarh
6. Officer Of Administrative Officer Zone 02, Vaishali Nagar, Nagar Palika Bhilai, Tahsil And District Durg Chhattisgarh
7. The Assistant Engineer Chhattisgarh State Power Distribution Company Ltd. (CSPDCL), Vaishali Nagar, Bhilai, District Durg Chhattisgarh

-----Respondents

For Petitioner	: Mr. Palash Agrawal, Advocate
For Respondent No.6	: Mr. Sandeep Dubey, Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

01/04/2021

1. It is submitted by the learned counsel for the petitioner that the impugned order dated 08.03.2021 has been passed by the

appellate Court under Order 41 Rule 5 of C.P.C., which is in-fact an order of injunction granted under Order 39 Rule 1 and 2 of C.P.C. Therefore, the impugned order is not sustainable. However, at this stage, the counsel for the petitioner submits that the petitioner does not want to press upon this petition for the relief prayed, instead it is prayed that the trial Court be directed to expedite the trial and conclude the same within a time framed.

2. Counsel for the respondent No.6 has no objection.
3. Taking in to consideration the submission made, this petition is disposed off at motion state. The learned appellate Court is directed to expedite the proceeding in the Miscellaneous Civil Appeal No.9 of 2021 and dispose of the same as early as possible preferably within a period of three months from the date of this order.

Sd/-
(Rajendra Chandra Singh Samant)
Judge