

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**W.P.(227) No.254 of 2021**

- Sandeep Kumar Jagatramka (Petitioner In Person) S/o Suresh Kumar Jagatramka Aged About 37 Years R/o Gandhi Chowk, Raigarh, Chhattisgarh, Mo. 9407628715

**---- Petitioner**

**Versus**

1. Executive Engineer Kelo Pariyojna, Tahsil And District- Raigarh, Chhattisgarh
2. State Of Chhattisgarh Through, The Collector, District- Raigarh, Chhattisgarh

**---- Respondents**

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For Petitioner – Mr. Sandeep Kumar Jagatramka, Petitioner-in-person.

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant**

**Order on Board**

**10-06-2021**

Heard.

1. This petition under Article 227 of Constitution of India has been brought being aggrieved by the order dated 22.03.2021 passed by the trial Court dismissing the application of the petitioner/plaintiff praying to recall the witness- Patwari.
2. It is submitted by the learned counsel for the petitioner that Patwari- Priyanka Ahiwar had appeared as plaintiff's witness but did not come with the document on the basis for which to make statement before the Court. Therefore, her recall is necessary.
3. Considered on the submissions. Also perused the copy of deposition of the Patwari- Priyanka Ahiwar, it appears that she had not made any statement with respect to the issue in the Civil Suit, stating that she is

not in possession of the required documents. The petitioner has liberty to file application for summoning such public servant who is in possession of the documents which are relevant of the Civil Suit and such public servant may be the Superintendent of the land records and in that case, the prayer made by the petitioner/plaintiff shall be worth consideration. Hence, under these circumstances, I do not find any reason to interfere in the impugned order. Hence, this petition is disposed off.

4. The petitioner is at liberty to file application before the trial Court itself for calling of such government witness who is in possession of the revenue records for the purpose of the hearing of case.
5. Accordingly, this petition is disposed off.

Sd/-  
**(Rajendra Chandra Singh Samant)**  
Judge