

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**W.P.(227) No.563 of 2021**

- Nitesh Kumar Tamrakar S/o Shri Mohan Lal Tamrakar, Aged About 40 Years R/o Ward No. 42, House No. 348, Subhash Nagar, Kasaridih, Near Mannu Sahu, Grocery Store, Tahsil And District Durg Chhattisgarh

**---- Petitioner**

***Versus***

- Humika Tamrakar W/o Nitesh Kumar Tamrakar, Aged About 38 Years R/o Lili Chowk, Purani Basti, District Raipur Chhattisgarh

**---- Respondent**

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For Petitioner

– Mr. Purnendra Khichariya, Advocate.

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**S.B.- Hon'ble Shri Justice Rajendra Chandra Singh Samant**

**Order on Board**

**29-10-2021**

1. Heard on this petition.
2. After hearing the submissions, it is observed that the petitioner has the option to file application under Order 9 Rule 13 of C.P.C. for setting aside the ex-parte judgment and decree and in the alternative he has the remedy to file appeal against the same. Therefore, there is no reason to exercise jurisdiction under Article 227 Constitution of India.
3. Accordingly, the petition is disposed off and the petitioner is granted liberty to file appropriate application or appeal.

Sd/-

**(Rajendra Chandra Singh Samant)**

Judge