



5 (3)  
SINGLE BENCH

**IN THE HIGH COURT OF CHHATTISGARH AT  
BILASPUR (C.G.)**

W.P.(U/A 227) 7365/09

**PETITIONERS**

**PLAINTIFF**

753329  
Presented by Rajeev Bharat  
dated 9/12/09



: 1) Basant Kumar

S/o Lacchiram Yadav

Aged about <sup>50</sup>47 yrs, 14/12/09

R/o <sup>44</sup>Bhogapara, 14/12/09 Shivrinarayan,

Tehsil Navagarh

District Janjgir-Champa (C.G.)

2) Pankaj Kumar S/o Jagmohan Das

Doshi Aged about <sup>53</sup>50 years

R/o Ward No.2 Akaltara

Tehsil Janjgir District Janjgir-

Chmapa (C.G.)

VERSUS

**RESPONDENT**

**DEFENDANT**

: Chintamani S/oKhemraj Aged

<sup>45</sup>About 42 years R/o <sup>44</sup>Bhogapara,

Shivrinarayan Tahsil Navagrah

District Janjgir- Champa

(C.G.)

**WRIT PETITION UNDER ARTICLE 227 OF THE CONSTITUTION OF  
INDIA**



X-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP(227) 7365 सन् 2009

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<p><b><u>S.B. Hon'ble Shri Justice N.K. Agarwal</u></b> <b><u>17.12.2009</u></b></p> <p>Shri Rajeev Bharat, Advocate for the petitioners. Heard on admission.</p> <p>The instant petition is directed against the order dated 17.11.2009, passed by IInd Additional District Judge (FTC), Janjgir (CG) in Misc. Appeal Case No. 1-A/09, whereby and whereunder the application preferred by the petitioners under Order 41 Rule 27 of CPC has been dismissed.</p> <p>The brief facts of the case are that, in an appeal preferred by the petitioners against dismissal of their suit, they filed two applications, one under Order 41 Rule 27 read with Section 33 of Evidence Act and another under Order 41 Rule 21 read with Section 151 of CPC. The trial court dismissed both the applications. Hence this petition.</p> <p>Shri Rajeev Bharat, learned counsel appearing for the petitioners would submit that the trial court has erred in dismissing the applications preferred by the petitioners.</p> <p>I have heard the counsel appearing for the petitioners.</p> <p>The trial court dismissed the first application on the ground that the documents sought to be produced were already exhibited before the trial court and second application on the ground that the petitioners never applied before the trial court for examination of</p>	

देखिये



XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

## आदेश पत्रक

मामला क्रमांक ..... सन् 200

विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Sahu	<p>handwriting expert. The aforesaid orders of the trial court cannot be said to be illegal, perverse or without jurisdiction, therefore, I do not find any jurisdictional error warranting interference of this court under Article 227 of the Constitution of India.</p> <p>It is well settled principle of law that this Court, in exercise of its supervisory jurisdiction under Article 227 of the Constitution of India, should refrain itself from interfering with the order passed by the Court below, except in such cases where perversity, illegality, irregularity or jurisdictional error is writ large on the face of the record, which is not in the present case.</p> <p>The petition has no merit and the same is accordingly dismissed in limine.</p>	<p>Sd/- N.K. Agarwal Judge</p>

[पीछे देखिये]