

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

SA No. 447 of 2007

Rajesh Kumar **Versus** Kunji Lal (dead) through Lrs and others

24-3-2022	Mr. Neeraj Choubey, counsel for the appellant. Mr. Hemant Gupta, counsel for the respondents. Mr. Rahul Mishra, counsel for respondent No.4 (i) to (iv) Learned counsel for the respondent No. 4 (i) to (iv) would submit that he has proposed the following substantial questions of law which have to be answered by this court. “1. Whether both the courts below have committed error in not considering the legal issue that the subsequent suit is not permissible as per Order 2 Rule 2(2) & (3) and Section 11 of CPC? 2 Whether both the courts below have committed error in not considering the legal issue that the subsequent suit is not maintainable as per Order 7 Rule 11(d) of CPC?”. Learned counsel for the appellant would submit that, since on the basis of application filed by learned counsel for the respondent No. 4 (i) to (iv), proposed substantial questions of law have been framed, therefore, no further adjudication of this case with regard to I.A.No. 8 of 2022, which is an application filed under Order 2 Rule 2 (2) & (3) of IPC and I.A.No. 9 of 2022, which is an application filed under Order 7 Rule 1 (d) of CPC, at this moment, is required. At the request of learned counsel for all the parties, list this case on 19-4-2022. Sd/- (Narendra Kumar Vyas) Judge

Raju

