



2026:CGHC:3995

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WP(227) No.48 of 2022Ku. Chetishtha Malik **Versus** Smt. Neelam Malik

5/4/2022	Mr. V.A. Goverdhan, Advocate for petitioners. None for respondent No.1. Ms. Richa Shukla, Deputy Government Advocate for respondent No.2-State. As per office note, service report of notice issued to respondent No.1 is awaited. Learned counsel for petitioners would submit that on two occasions petitioner has paid process for issuance of notice to respondent No.1. Firstly for service of notice at the address of District Bemetara of respondent No.1 given in cause title. After receipt of service report with note that respondent No.1 is not residing at the address of Bemetara and shifted to Gurgaon (Haryana), petitioner has again paid process fee for issuance of notice to respondent No.1 on both the addresses given in cause title of writ petition. He further contended that on 4.4.2022 case was fixed before the Court below concerned for recording of evidence of plaintiffs, but it was adjourned to 19.4.2022. He submits that prior to start of recording of evidence, plaintiffs/petitioners have filed an amendment application which has been



rejected by the Court below. Amendments sought by plaintiffs in the plaint are necessary. If evidence of plaintiffs is concluded without allowing amendment application filed by them, then the same will adversely affect their case. Hence, some interim protection may be granted to petitioners pending service of notice upon respondent No.1.

Taking into consideration facts and circumstances of case, submission of learned counsel for petitioners and further considering that service report of second notice issued to respondent No.1 is still awaited, purely as an interim measure, it is directed that further proceedings of Civil Suit No.77A/2018 pending before the 2nd Civil Judge Class II, Bemetara shall remain stayed till next date of hearing.

List this case week after next awaiting service report of notice issued to respondent No.1.

Sd/-
(Parth Prateem Sahu)
Judge

roshan/-