

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

SA No. 577 of 2016

Chandarmati Died Through Legal Representative **Versus** Chandrika & Ors.

07.12.2021	Mr. Vivek Kumar Tripathi, Counsel for appellants. Mr. K. K. Singh, G. A. for the State. Learned counsel for appellants would submit that the Tahsildar has completed the partition proceeding which was under challenged before the Civil Court by plaintiff without issuing notice as provided under Section 80 of CPC. Learned counsel for appellants who was defendant before the trial Court would submit that they have taken a plea in their return statement they have taken this plea for the first time whether the plea taken by the first appellate Court with regard to issuance of notice under Section 80 of the CPC is permissible or not has to be examined. He would further submit that he may be given a week's time to get the judgment whether challenging the order on partition proceeding passed by Tahsildar for issuance of notice is mandatory or not. List this case after a week. Sd/- (Narendra Kumar Vyas) Judge

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