

**HIGH COURT OF CHHATTISGARH AT BILASPUR****SA No. 530 of 2017****Rajkumar & Ors versus Mohanlal & Anr**

16/04/2026	<p>Mr. Hemant Gupta, learned counsel for the appellants.</p> <p>Mr. G.R. Miri, learned Senior counsel with Mr. R.K. Tiwari, learned counsel for the respondent No.1.</p> <p>Mr. Malay Jain, learned Panel Lawyer for the State/respondent No.2.</p> <p>Heard.</p> <p>By the present appeal under Section 100 of the CPC, the appellants challenging the impugned judgment and decree dated 31/07/2017 passed by the learned District Judge, Balodabazar, District Balodabazar, C.G. in Civil Appeal No.28A/2017 arising out of the judgment and decree dated 29/03/2017 passed by the learned Civil Judge Class-II, Balodabazar, C.G. in Civil Suit No.51A/2015.</p> <p>The appeal is admitted on the following substantial question of law.</p>
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“1. Whether the learned trial Court as well as the First Appellate Court were justified in shifting the burden of proof to the defendants in absence of finding about the plaintiff’s title over the property in question.”

Issue notice to the respondents.

Mr. G.R. Miri, learned Senior counsel with Mr. R.K. Tiwari, learned counsel accepts notice on behalf of respondents No.1.

Mr. Malay Jain, learned Panel Lawyer accepts notice on behalf of State/respondent No.2.

Since all the respondents are represented, issuance of notice is not required.

List the case for final hearing in the weekly list in its due course.

Interim relief granted earlier shall continue till the next date of hearing.

SD/-

(Bibhu Datta Guru)
Judge