

## **HIGH COURT OF CHHATTISGARH, BILASPUR**

### **SA No. 204 of 2022**

1. Indarman Sonkar S/o Late Ramcharan Sonkar, Aged About 54 Years, R/o Village Nandai, Tehsil and District Rajnandgaon, Chhattisgarh,
2. Shekhar Sonkar, S/o Indarman Sonkar, Aged About 35 Years, R/o Village Nandai, Tehsil and District Rajnandgaon, Chhattisgarh,
3. Sagar Sonkar, S/o Indarman Sonkar, Aged About 30 Years, R/o Village Nandai, Tehsil and District Rajnandgaon, Chhattisgarh,
4. Smt. Pinki Sonkar, D/o. Indarman Sonkar, Aged About 37 Years, W/o. Krisshna Sonkar, R/o Hirapur, Jarbai, Tehsil and District Raipur, Chhattisgarh,
5. Smt. Rani Sonkar, D/o Indarman Sonkar, Aged About 27 Years, R/o. Rambag, Tehsil and District Dhamtari, Chhattisgarh.

**---- Appellants**

### **Versus**

1. Smt. Puspa Bai Sonkar, W/o Paras Sonkar, Aged About 42 Years, Purani Basti, Shankar Nagar Chowk, Raipur, Tehsil and District Raipur, Chhattisgarh,
2. Smt. Anita Bai Sonkar, W/o Basant Kumar Sonkar, Aged About 40 Years, R/o Purani Basti, Shankar Nagar Chowk, Raipur, Tehsil and District Raipur, Chhattisgarh.
3. Smt. Manju Bai Sonkar, W/o Chandrabushan Sonkar, Aged About 38 Years, R/o Purani Basti, Shankar Nagar Chowk, Raipur, Tehsil and District Raipur, Chhattisgarh,
4. State of Chhattisgarh Through Collector, Rajnandgaon, District Rajnandgaon, Chhattisgarh

**---- Respondents**

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| <b>20.06.2022</b> | <p>Mr. Shobhit Kosta, Advocate for the Appellants.</p> <p>Mr. Ravi Maheshwari, PL for the State/respondent No.4.</p> <p>The appeal is arguable and admitted for hearing on the following substantial question of law;-</p> <p><b>“Whether the trial Court was justified in dismissing the application filed by the plaintiff for examining secondary evidence as provided in Section 63 of the Evidence Act causing prejudice to the appellant to defend his case?.</b></p> |

Issue notice to the respondents on payment of PF by ordinary as well as registered mode.

PF be paid within 10 days.

Heard on I.A. No. 01/2022 for grant of stay.

Taking into consideration the submission made by counsel for the appellant it is ordered that the judgment and decree passed by both the Courts below shall remain stayed till the next date of hearing.

A copy of this order along with notice be sent to the respondents.

List this case for final hearing in the third week of August, 2022.

Sd/-

**(Narendra Kumar Vyas)**  
**Judge**