



HIGH COURT OF CHHATTISGARH AT BILASPUR

WP227 No. 249 of 2025

SHRI RAMCHANDRA SWAMI @ BHAGHIRATHI TRUST *versus* ATMARAM KHATWANI and others

Order Sheet

24.03.2025	Mr. Shobhit Koshta, counsel for the petitioner. Heard on I.A. No. 01, an application for grant of stay. Learned counsel for the petitioner would submit that the plaintiff moved an application under Order 1 Rule 10 of CPC to implead the encroacher, who encroached over the part of the suit property, as defendant, but the learned trial Court rejected the application on the ground that the suit land and the land encroached by the proposed defendant are entirely different and the property was purchased by the proposed defendant. He would further submit that the findings recorded by the learned trial Court in this regard are erroneous and not based on material evidence. Taking into consideration the submission made by Mr. Koshta, a



strong case is made out for grant of stay; therefore, there shall be stay of the further proceedings of Civil suit No. 284A/2015 pending before the learned First Additional Judge to the Court of First Civil Judge, Junior Division, Raipur till the next date of hearing.

Issue notice to respondents on payment of P.F. by ordinary as well as registered mode.

Call this matter after service of notice.

**Sd/-
(Rakesh Mohan Pandey)
Judge**

Siddhant