



HIGH COURT OF CHHATTISGARH AT BILASPUR

WP227 No. 368 of 2026

1 - Shiv Kumar Agrawal S/o Late Madanlal Agrawal, Aged About 65 Years
R/o Govind Bhawan, Sonar Para, Raigarh Tahsil And District Raigarh
(Chhattisgarh)

2 - Ramesh Kumar Agrawal S/o Late Madanlal Agrawal, Aged About 63
Years R/o Govind Bhawan, Sonar Para, Raigarh Tahsil And District
Raigarh (Chhattisgarh)

... Petitioner(s)

versus

1 - Smt. Shushma Gupta Wd/o Late Prem Kumar Gupta, Aged About 52
Years R/o In Front Of Mahindra Showroom, Dhimrapur Road, Raigarh
Tahsil And District Raigarh (Chhattisgarh)

2 - Ankit Gupta W/d./o, Late Prem Kumar Gupta, Aged About 32 Years R/o
In Front Of Mahindra Showroom, Dhimrapur Road, Raigarh Tahsil And
District Raigarh (Chhattisgarh)

3 - Ganesh Gupta S/o Late Premkumar Gupta, Aged About 26 Years R/o
Infront Of Mahindra Showroom, Raigarh,tahsil And District- Raigarh (C.G.)

4 - Smt. Naina Gupta D/o Late Premkumar Gupta, Aged About 28 Years
W/o. Rahul Agrawal, R/o Friends Colony, Dhimrapur, Raigarh, Tahsil And
District Raigarh (Chhattisgarh)

5 - Mahesh Kumar Gupta S/o, Late Omprakash Gupta Aged About 60
Years R/o In Front Of Mahindra Showroom, Raigarh, Tahsil And District-
Raigarh (Chhattisgarh)

6 - Manoj Kumar Gupta S/o Late Omprakash Gupta, Aged About 54 Years
R/o House No. 206, Tayal Gali, Bidhpara, Ward No. 12 Raigarh Tahsil And
District Raigarh (Chhattisgarh)

7 - State Of Chhattisgarh Through District Collector, Raigarh Tahsil And
District Raigarh (Chhattisgarh)

.. Respondent(s)

Order Sheet

30/03/2026	Mr. Abhishek Saraf, learned counsel for the petitioners. Mr. Vikhyat Arora, learned Panel Lawyer, appearing for the State-Respondent No. 7. Issue notice to the Respondent Nos. 1 to 6 on payment of process fee as per rules. Also heard on I.A. No. 01/2026. Learned counsel for the petitioner would submit that the petitioners are prosecuting a civil suit for specific performance of the contract before the learned trial Court in which there are sufficient pleadings with respect to the civil suit No. 995-A/2012, which was pending before the family members of the defendants and it was the condition in the agreement that after decision of the said civil suit the sale deed would be executed in favour of the present plaintiffs. He would further submit the Civil Suit No. 995-A/2012,

was decided on 28.12.2022 and its first appeal has also been decided from the Court of learned Fourth District Judge, Raigarh vide judgment dated 12.01.2026 passed in Civil Appeal No. 12/2023. After deciding the first appeal by the learned appellate Court, immediately he filed an application for amendment in his plaint on 13.01.2026 which has been rejected by the learned trial Court on the ground that the contents of the proposed amendment was available to the plaintiffs from the very inception and at the stage of plaintiffs' evidence the amendment cannot be allowed. He would further submit that the first appeal has been decided on 12.01.2026 and on very next day the amendment application has been filed on 13.01.2026 and since there are sufficient pleadings with respect to Civil Suit No. 995-A/2012 in the plaint, the nature of the civil suit has also not been changed, therefore, the amendment in the plaint may be allowed.

Considering the submissions made by learned counsel for the petitioner, purely as an interim measure, further proceedings of the Civil Suit No. 8-A/2023 pending before the learned Second Additional District Judge, Raigarh. shall remain stayed till the next date of hearing.

It is made clear if the plaintiffs have failed to pay the process fee, the interim order granted earlier shall automatically stands vacated.

List this case immediately after service of notice upon the Respondent Nos. 1 to 6.

Sd/-
(Ravindra Kumar Agrawal)
Judge