

**HIGH COURT OF CHHATTISGARH, BILASPUR****Order Sheet****FA No. 111 of 2024****Jitendra Goel *Versus* Sewak Ram Pandey & others**

21.06.2024	Mr. Amrito Das, Advocate for the Appellant. Mr. Akhilesh Kumar, G.A. for the State/Respondent No. 3. Heard. Learned counsel for the Appellant would submit that on the basis of decree obtained by committing fraud for Specific Performance, respondent No. 2 who is the original seller though had sold the subject land prior to the appellant, but subsequently by preparing a backdated sale agreement and on that basis, Specific Performance decree was granted and the sale deed has been executed. Now, it is stated that the said subject land since has been acquired and the compensation has been deposited, respondents No. 1 and 2 are hand in gloves to withdraw the amount though the entitlement is that of appellant. He refers to the judgment dated 01.08.2018 passed by this Court in MA No. 27 of 2018, wherein this Court has directed for deposit of the



compensation amount of the Land Acquisition Case No. 09(5)/A-82/2014-15 in a Nationalised Bank. It has been stated that the said amount has been deposited. Further, it is stated that if the amount is withdrawn, then the entire filing of the appeal may become infructuous.

Earlier, this Court has already issued the notice to respondents No. 1 & 2. Dasti Service is also permitted apart from the usual mode.

On payment of process fee, the Dasti notice be issued.

List this case in the week commencing **15.07.2024**.

In the meanwhile, the amount deposited in the Bank shall not be allowed to be withdrawn by either of the parties till the next date of hearing.

Sd/-
(Goutam Bhaduri)
Judge

Sd/-
(Rajani Dubey)
Judge