



HIGH COURT OF CHHATTISGARH AT BILASPUR

SA No. 300 of 2023

1 - Smt. Savitri Bai W/o Shatruhan Kurre Aged About 45 Years Village Rasni, Tahsil Aarang, District Raipur Chhattisgarh Appellant Is Legal Heir Of The Now Deceased Defendant No. 01 In The Original Suit

... Appellant

versus

1 - Smt. Jhalo Bai W/o Lt. Ganeshram Satnami, Aged About 70 Years Profession Farming At Village Paragaon, Tehsil Aarang, District Raipur (C.G.)

2 - Dakeshwar Banjare S/o Resham Kumar Banjare Aged About 28 Years Profession-Labour, At Village Paragaon, Tehsil Aarang, District Raipur (C.G.)

3 - State Of Chhattisgarh Through District Collector, District Raipur Chhattisgarh

... Respondent(s)

Order Sheet

28/01/2025	Mr. Vinay Nagdev, Advocate for the appellant. Mr. Rajeev Bharat, G. A. for the State. Mr. Aishwary Diwan, Advocate appearing on behalf of Mr. Aseem Bhagwat Gopal, Advocate for respondent No. 1. This appeal is admitted on following substantial question of law : (i) Whether learned First Appellate Court justified in reversing finding recorded by learned trial Court on issue No. 1 that marriage between plaintiff and Ganeshram is void under Section 11 of the Hindu Marriage Act, 1955 only
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on the basis of oral evidence, perverse to the pleadings made in plaint ?

Issue notice to respondents.

Mr. Aishwarya Diwan and Mr. Rajeev Bharat accepts notice on behalf of respondents No. 1 & 3 respectively, hence, no process fee is required to be paid for issuance of notice to respondents No. 1 & 3.

On payment of process fee, issue notice to respondent No. 2 as per rules. Notice be made returnable within three weeks.

Also heard on I.A. No. 02 of 2023 which is an application under Order 39 Rule 1 and 2 of Cr.P.C., 1908.

On due consideration of the submission made by learned counsel for appellant and the pleadings made in the application as also the fact that appeal is admitted for hearing, parties are directed to maintain status quo as it exists today with respect to the suit property.

List this case in week commencing 17th of March, 2025.

Sd/-

(Parth Prateem Sahu)
Judge