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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WP227 No. 344 of 2022

1 - Vijay Gupta S/o Late Subhag Prasad Gupta, Aged About 56 Years
R/o Bhatthapra Nagar, Police Station And Tahsil Ambikapur, District Surguja, Chhattisgarh

... **Petitioner(s)**

versus

1 - Barat Kunwar W/o Latew Mohar Say, Aged About 60 Years R/o
Bhatthapra Nagar, Police Station And Tahsil Ambikapur, District Surguja,
Chhattisgarh

2 - Sanjay @ Rajendra S/o Late Mohar Say, Aged About 38 Years R/o
Bhatthapra Nagar, Police Station And Tahsil Ambikapur, District Surguja,
Chhattisgarh

3 - Sukro Bai W/o Late Sukhi Aged About 58 Years R/o Mahamaya
Para, Police Station And Tahsil Ambikapur, District Surguja,
Chhattisgarh

4 - Tripti Pandey W/o Mithlesh Pandey, Aged About 53 Years R/o Datta
Colony Nagar, Police Station And Tahsil Ambikapur, District Surguja,
Chhattisgarh

... **Respondent(s)**

For Petitioner(s) : Mr. Amarnath Pandey, Advocate.

For Respondents : None, though served.



Hon'ble Shri Justice Ravindra Kumar Agrawal, J.
Order on Board

01/04/2026

1. Heard.
2. Present is a writ petition under Article 227 of the Constitution of India filed by the petitioner against the impugned order dated 13.05.2022 passed by learned Third Additional Sessions Judge, Surguja Ambikapur in Miscellaneous Civil Appeal No. 03/2022, whereby the miscellaneous appeal filed by the respondent Nos. 1 and 2 was allowed and the order dated 12.10.2021 passed by learned Third Civil Judge Class-II Ambikapur, District Surguja passed in Civil Suit No. 169-A/2009, granting temporary injunction in favour of the plaintiff's have been set aside.
3. Learned counsel for the petitioner would submit that the petitioners were the plaintiff before the learned trial Court they are prosecuting a civil suit for declaration of title and possession over the suit land of schedule-A bearing Khasra No. 4544/1 area 11 decimal situated at village Bhattapara, Ambikapur, District Surguja and the defendants' claim is over the land of Khasra No. 222 area 0437 situated at village Pachpedi Patwari Halka No. 47, Tahsil Ambikapur, District Surguja. During the pendency of the suit temporary injunction was granted in their favour by the order dated 12.10.2021 by which the defendants' were restrained from interfering with the possession of the plaintiff over the suit land. The defendant No.1 and 2 have filed their appeal before the learned appellate Court and the appeal filed by them has been



allowed vide order dated 13.05.2022 and the order passed by learned trial Court granting temporary injunction in favour of the petitioners have been set aside against which the present writ petition has been filed.

4. He would further submits that the present writ petition the coordinate bench of this Court, vide order dated 22.06.2022, directed both the parties to maintain status quo with respect to the suit property and that interim protection is continued till date and there is no violation of the interim protection granted in favour of the petitioner by any of the parties. He would also submits that the learned trial Court of the case is in progress and the plaintiff evidence have been closed and now the case has been fixed before the learned trial Court for recording of the defendant's evidence. He would further submits that instead of considering the case on merits, the present writ petition may be disposed of directing the parties to maintain status quo till final adjudication of the suit.
5. Since no one appears on behalf of the the respondents though served, and there is no any objection with respect to violation of the interim order passed by coordinate bench of this Court vide order dated 22.06.2022. This Court deem it appropriate to dispose of the present writ petition directing the parties to maintain status quo as on today with respect to the suit property.



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6. Accordingly, the present writ petitions is disposed of directing the parties to maintain status quo as on today till the decision of the suit pending before the learned trial Court.
7. With the aforesaid observation, the present writ petition is disposed of.

Sd/-

(Ravindra Kumar Agrawal)
Judge

Alok