

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

SA No. 123 of 2017

1. Anuradha Shivhare W/o Late Narendra Shivhare, Aged About 54 Years R/o Ward No.15 Ramhepur Tahsil Lormi, District Mungeli, Chhattisgarh
2. Navin Shivhare S/o Late Narendra Shivhar, Aged About 38 Years R/o Ward No.15 Ramhepur Tahsil Lormi, District Mungeli, Chhattisgarh
3. Rounak Shivhare Aged About 8 Years Minor Through Natural Guardian Mother Ranjana Shivhare, R/o Ward No.15 Ramhepur Tahsil Lormi, District Mungeli, Chhattisgarh
4. Simmi Shivhare Aged About 5 Years Minor Through Natural Guardian Mother Ranjana Shivhare, R/o Ward No.15 Ramhepur Tahsil Lormi, District Mungeli, Chhattisgarh
5. Vaibhav Shivhare Aged About 4 Years Minor Through Natural Guardian Mother Ranjana Shivhare, R/o Ward No.15 Ramhepur Tahsil Lormi, District Mungeli, Chhattisgarh
6. Ranjana Shivhare W/o Navin Shivhare, Aged About 33 Years R/o Ward No.15 Ramhepur Tahsil Lormi, District Mungeli, Chhattisgarh
7. Deepmala Shivhare W/o Rakesh Shivhare, Aged About 40 Years R/o Village Jaithari, Tahsil Jaithari, District Anuppur (M.P.)
8. Shraddha Gupta W/o Rajjan Gupta, Aged About 36 Years R/o Gidam, District Dantewada, Chhattisgarh
9. Surendra Kumar S/o Late Brijbhushan Shivhare, Aged About 57 Years R/o Kankalipara, Lormi, District Mungeli, Chhattisgarh(Defendants) **---- Appellants**

Versus

1. Santoshi Gulhare W/o Manish Gulhare, Aged About 33 Years R/o In Front Of Tikrapara Thana, Sanjay Nagar Raipur, Chhattisgarh(Plaintiff)
2. Ramkunwar W/o Late Narendra Shivhare, Aged About 53 Years R/o Ward No.15 Maharpur Road Lormi, District Mungeli, Chhattisgarh(Defendant No.9)
3. State Of Chhattisgarh, Through Collector, Mungeli, Chhattisgarh(Defendant No.11) **---- Respondents**

28/08/2017	Shri Ravish Verma, counsel for the appellants. Shri Sunil Sahu, counsel for respondent No.1. Smt. Shobha Kashyap, Deputy G.A. for the State/respondent No.3.

Anjani	Heard on admission. This appeal is admitted on the following substantial question of law: “Whether the Courts below have erred in holding that the suit property, which has fallen in the share of Narendra Shivhare in a partition effected amongst his brothers is his self-acquired property?” Issue notice to respondent No.2 only on payment of P.F. within a period of 7 days for serving him by ordinary as well as by registered modes. No notice is required to be issued to respondents No. 1 & 3 as they have already made their appearance through their counsels. Heard on I.A.No. 01/2017, an application for issuance of temporary injunction, pending decision of this appeal. Issue notice of this application also to respondent No.2, as above. Meanwhile, it is directed that both the parties shall not create any third party interest, as it exists today, till the next date of hearing. Post this matter after respondent No.2 is served for further orders. Sd/- (Sanjay Agrawal) Judge
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