



HIGH COURT OF CHHATTISGARH AT BILASPUR

**RAHUL
JHA**
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SA No. 502 of 2019

RAJKUMAR *versus* VISHNU PRASAD

Order on Board

24/02/2026	Mr. Anand Shukla, learned counsel for the appellant. Mr. Sunil Sahu, learned counsel for respondent No.1. Mr. Anand Gupta, learned Deputy Government Advocate for the State. The present Second Appeal has been filed under Section 100 of the Code of Civil Procedure, 1908, assailing the judgment and decree dated 02/04/2019 passed by the learned District Judge, Mungeli, District Mungeli, in Civil Appeal No. 18-A/2018, whereby the appeal preferred by the plaintiff was allowed and the judgment and decree dated 28/03/2018
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passed by the learned Trial Court were reversed.

Heard on the question of admission.

Upon due consideration of the pleadings on record, the impugned judgments and the submissions advanced by learned counsel for the appellant, this Court is of the considered opinion that the appeal involves the following substantial question of law:

Whether the reversal finding recorded by the First Appellate Court is perverse and contrary to the evidence of Rajkumar (DW-1), who has not admitted the factum of partition of the property in dispute?

Accordingly, the Second Appeal is admitted for hearing on the aforesaid substantial questions of law.

Issue notice to the respondents on the aforesaid substantial questions of law.

Mr. Sunil Sahu, learned counsel for respondent No. 1, and Mr. Anand Gupta, learned counsel for respondent No. 17, accept notice on behalf of respondent Nos. 1 and 17, respectively.

Let process fee be paid for issuance of notice to respondent Nos. 2 to 16.

Also heard on I.A. No. 01/2019.

Learned counsel for the appellant as well as learned counsel for respondent No. 1 submit that both the parties are in possession of the suit property in question.

Be that as it may, it is directed that, till the next date of hearing, the parties shall maintain *status quo* with regard to the property in question.

List the matter for final hearing in the weekly in due course.

Sd/-

(Bibhu Datta Guru)

Judge