

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

**Second Appeal No.520 of 2019**

R.L. Choudhari and Anr. **Versus** Gayatri Agrawal & Ors.

23/11/2022	<p>Shri Manoj Paranjpe, Counsel for the appellants.</p> <p>Shri Prafull N. Bharat, Senior Counsel with Shri Keshav Dewangan, Counsel for respondent No.1 to 4.</p> <p>Shri Sanjeev Kumar Agrawal, P.L. for the State.</p> <p>Heard on admission.</p> <p>Perused the judgments of both the Courts below and also perused the evidence adduced by the parties before the trial Court.</p> <p>On due consideration, the appeal is admitted for hearing on the following substantial question of law:</p> <p><b>“A. Whether the finding recorded by both the Courts below with regard to the demarcation report i.e. Ex. P-5 and P-6 are perverse?”</b></p> <p>Issue notice to the respondents on payment of process fee as per rules.</p> <p>Shri Prafull N. Bharat, Senior Counsel accepts notice on behalf of respondent No.1 to 4, thus, issuance of notice to them is dispensed with.</p> <p>Issue notice to respondent No.5 only.</p> <p>P.F. as per rules, returnable within six weeks.</p> <p>Also heard I.A. No.1, application under Order XLI Rule 5 of the Code of Civil Procedure.</p> <p>Issue notice on I.A. No.1 as well.</p>

Meanwhile, purely as an interim measure, it is directed that both the parties are directed to maintain the *status quo* with respect to the land in dispute as it exists today, till the next date of hearing.

As prayed by the parties, list this case for final hearing at motion stage itself in the 2<sup>nd</sup> week of January, 2023.

**Sd/-**  
**(Arvind Singh Chandel)**  
**Judge**