



NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**FA No. 191 of 2025**

**Order Sheet**

- Smt. Neetu Singh W/o Aatmanand Singh, Aged About 48 Years, R/o Baikunthpur, P.S. And Tehsil - Baikunthpur, District Koriya (C.G.).  
(Defendant No. 4)

**... Appellant**

**versus**

1. Smt. Mahamaya Gupta Wd/o Late Shailendra Gupta Aged About 38 Years,
2. Aman Gupta S/o Late Shailendra Gupta, Aged About 15 Years,  
Respondent No.2 Is Through Its Natural Guardian And Mother Smt. Mahamaya Gupta, Wd/o Late Shailendra Gupta.  
  
Both Are R/o Village Mandalpara, Police Station And Tehsil-Baikunthpur, District- Koriya (C.G.).
3. Archana Gupta D/o Late Rudeshwar Prasad Gupta Aged About 41 Years, (Defendant No. 1)
4. Shashima Gupta D/o Late Rudeshwar Prasad Gupta, Aged About 45 Years, (Defendant No. 2)

Both Are R/o Village Mahalpara, Police Station And Tehsil- Baikunthpur, District- Koriya (C.G.).

5. Sanjay Agrawal S/o Mahangi Lal Agrawal, Aged About 49 Years, Director Maa Vaishno Associates Private Limited, R/o Schoolpara, Baikunthpur, Police Station And Tehsil- Baikunthpur, District Koriya (C.G.) (Defendant No. 3)
6. Smt. Vandana Gupta W/o Nand Kishore, Aged About 44 Years, R/o Baikunthpur, P.S. And Tehsil- Baikunthpur, District Koriya (C.G.) (Defendant No. 5)
7. Gyaneshwar Prasad Gupta S/o Late Sukhdev Prasad Gupta, Aged About 65 Years, R/o Village- Baikunthpur, P.S. And Tehsil- Baikunthpur, District Koriya (C.G.) (Defendant No. 6)
8. State Of Chhattisgarh, Through Collector, Head Quarter- Baikunthpur, District- Koriya (C.G.) (Defendant No. 7)

... Respondent(s)

<b>25/03/2026</b>	<p>Mr. Pushkar Sinha, Counsel for the Appellant.</p> <p>Mr. Vikas Ghritlahre, Counsel for the Respondents No.1 and 2.</p> <p>Mr. Deepak Kumar Singh, P.L., Counsel for the State/ Respondent No.8.</p> <p>Heard on I.A. No.01/2025, an application filed under Section 5 of the Limitation Act, seeking condonation of</p>

delay of 93 days in preferring of this appeal.

Learned Counsel appearing for the Appellant submits that due to some medical problem, the instant appeal could not be filed in time, however, there is no malafide intention behind the same and, therefore, the same may kindly be condoned, while adopting the liberal approach, in the interest of justice.

On the other hand, learned Counsel appearing for the Respondents No.1 and 2 submits that since no document has been filed showing that the appellant was facing some medical problem, the reasons as assigned in the application, therefore, deserves to be rejected.

Having considering the aforesaid contention of the parties, we are inclined to allow this application.

The application is, accordingly, allowed and delay in filing this appeal is hereby condoned.

I.A. No.01/2025 stands disposed of.

Also heard on admission.

Admit.

Issue notice to the Respondents No.3 to 7 only, on

payment of process fee, as per rules.

Also heard on I.A. No.02/2025, an application filed under Order 41 Rule 5 of the Code of Civil Procedure, 1908.

Let the notice be issued on this application also, as above.

Meanwhile, purely as an interim measure, it is directed that the partition proceedings in pursuance to the impugned judgment and decree dated 05/03/2025, passed by the District Judge, Baikunthpur, District Koriya (C.G.) in Civil Suit No.1-A/2021, may go on, but no final order shall be passed without prior permission of this Court, till the next date of hearing.

Post this matter after five weeks' for consideration on I.A. No.02/2025.

**-Sd/-**  
**(Sanjay S. Agrawal)**  
**Judge**

**-Sd/-**  
**(Amitendra Kishore Prasad)**  
**Judge**