

HIGH COURT OF CHHATTISGARH, BILASPUR
Order Sheet
FA No. 496 of 2019

Pratap Chand Sharaf S/o Balbhadra Prasad Sharaf Aged About
70 Years R/o Village Bamhanidih, Presently R/o Champa
Barpali, Tahsil Champa, District Janjgir Champa CG

---- Appellant

Versus

1. Smt. Sandhya Sharaf D/o Ayodhya Prasad Sharaf Aged About
60 Years R/o Village Bamhanidih, Through The Power of
attorney Holder Ajay Kumar Sharaf, S/o Ayodhya Prasad
Sharaf, aged about 58 Years, R/o Village Bamhanidih, Tahsil
Champa, District Janjgir Champa CG
2. State of Chhattisgarh through the Collector, District Janjgir
Champa CG

---- Respondent

17-2-2020	Mr. Ravindra Agrawal, Adv. for the appellant. Mr. R.K. Tiwari, Adv. for respondent No. 1. Mr. D.C. Verma, Govt. Adv. for respondent no. 2/ State. Heard on I.A. No. 1/2019 application under Order 41 Rule 5 of the CPC. Looking to the facts and circumstances of the case, it is directed that execution of the impugned judgment and decree dated 23-10-2019 passed by the 2nd Addl. District Judge, Janjgir, Distt. Janjgir Champa in Civil Suit No. 93-A/2016 so far as it relates to delivery of possession shall remain stayed until further orders, if the appellant furnishes one solvent surety for a sum of Rs. 50,000/- to the satisfaction of the concerned Court with further condition that he shall deposit amount at the rate of Rs. 3,000/- per month from 16-8-2016 till date within a period of two months from today and shall continue to deposit the same by 10th day of every month till further orders. The amount if so deposited by the appellant may be withdrawn by the respondent No. 1 on her furnishing adequate security to the satisfaction of the concerned Court.

It is made clear that if the appellant fails to comply with any of the above conditions, the instant order shall stand vacated.

I.A. No. 1/2019 is accordingly disposed of.

List the matter for final hearing in due course.

Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge