

(2018) 08 CHH CK 0247
In the Chhattisgarh High Court
Case No : WP(227) No. 655 Of 2018

Kashmir Singh And Ors

APPELLANT

Vs

Chandrasheela Singh Somvanshi And Ors

RESPONDENT

Date of Decision : 23-08-2018

Acts Referred:

Constitution Of India, 1950 — Article 227

Citation : (2018) 08 CHH CK 0247

Hon'ble Judges : Sanjay K. Agrawal, J

Bench : Single Bench

Advocate : B.D. Guru, Seema Singh, Avinash Singh

Final Decision : Disposed Of

Judgement

Sanjay K. Agrawal, J

1. The suit filed by the petitioners / plaintiffs for declaration of title and permanent injunction was rejected by the trial Court and it was affirmed by the miscellaneous Appellate Court, aggrieved against which this writ petition has been preferred by the petitioners.

2. I have heard learned counsel for the petitioners.

3. Both the Courts below have concurrently recorded a finding that neither the plaintiffs have prima-facie case nor balance of convenience lies in their

favour and question of irreparable loss does not arise. The said finding of fact is based on the material available on record. As such, I do not find any

jurisdictional error or illegality warranting interference under article 227 of the Constitution. However, as the suit is pending consideration since

30.08.2013, the trial Court is directed to conclude the trial expeditiously, preferably within a period of six months from the date of receipt of copy of

this order.

4. With the aforesaid direction, the writ petition stands disposed of. No order as to cost(s).