

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 7131 of 2023

Petitioner :- Dr. Upendra Goswami

Respondent :- Mathura Vrindawan Nagar Nigam

Counsel for Petitioner :- Archana Singh

Counsel for Respondent :- Harsh Vardhan Gupta

Hon'ble Jayant Banerji, J.

1. Heard learned counsel for the petitioner and Ms. Aarti Gupta, learned counsel holding brief of Shri Harsh Vardhan Gupta, learned counsel for the respondent.

2. This petition has been filed seeking the following prayer:

"I. issue the direction to the Civil Judge, Sr. Division, Mathura to decide the application 7ga for interim injunction of the petitioner filed in Case No. 878/2020 Dr. Upendra Vs. Mathura Vrindawan Nagar Nigam, expeditiously within the period stipulated by this Hon'ble Court."

3. A perusal of the order-sheet reveals that a suit was instituted by the petitioner seeking a relief of permanent injunction with regard to the suit property. It appears from perusal of the order-sheet that an application for temporary injunction was filed on which notices were issued. A perusal of the last order appearing in the certified copy of the order-sheet which is dated 23.5.2023 states that the next date fixed for hearing of the application 7C was 26.7.2023.

4. Considering the facts and circumstances of the case and without expressing any opinion on merits, this petition is **disposed of** with a direction to the Civil Judge (Senior Division), Mathura to proceed with the consideration of the aforesaid application 7C after considering the objections, if any, filed by the defendant-respondent without granting any unnecessary adjournment to either of the parties and provided there is no legal impediment.

Order Date :- 19.10.2023

A. V. Singh

(Jayant Banerji, J.)