

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 6950 of 2023

Petitioner :- Smt. Champa Devi

Respondent :- Nibha And 9 Others

Counsel for Petitioner :- Kirtikar Pande

Hon'ble Jayant Banerji, J.

List has been revised. No one appears to press this petition.

This petition has been filed seeking a direction to the Civil Judge (Junior Division) West, Ballia to decide the application for temporary injunction dated 28.4.2023 filed in Original Suit No. 622 of 2023 (Smt. Champa Devi Vs. Nibha). A further direction has been sought for directing the defendants to maintain status quo with regard to the suit property.

A perusal of the record reveals that the certified copy of the order-sheet has not been filed. Photocopy of the plaint of the Original Suit No. 622 of 2023 reveals that it is filed for permanent injunction with regard to the suit property which appears to be an agricultural plot. When the matter was listed on 16.6.2023, the following order was passed:

"1. The petition is not accompanied by order sheet of the case.

2. Put up as fresh on 07.07.2023.

3. Learned counsel for the petitioner shall file copy of the order sheet by means of supplementary affidavit."

No supplementary affidavit has been filed in compliance of the previous order of the Court. It appears that the petitioner does not want to press this petition. Even otherwise, for want of the certified copy of the order-sheet, it cannot be ascertained what is the stage of the suit.

Under the circumstances, no interference is called for and this petition is, therefore, **dismissed**.

Order Date :- 12.10.2023

A. V. Singh

(Jayant Banerji, J.)