

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 7133 of 2023

Petitioner :- Dayaram Sharma

Respondent :- Regional Manager U.P. State Industrial Development Authority (Upsida) And Another

Counsel for Petitioner :- Shyam Shankar Shukla,Devendra Tiwari Deva

Counsel for Respondent :- Anuj Pratap Singh,Kartikeya Saran

Hon'ble Jayant Banerji,J.

1. Heard learned counsel for the petitioner and Shri Varun Singh, Advocate Roll- A/V0149/19, holding brief of Shri Kartikeya Saran, learned counsel for the respondent.

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

"(i) Issue a order or direction in the nature of commanding/directing the Civil Judge (Senior Division) Gautam Budh Nagar to hear and decide the civil suit No. 1510/2022 (Dayaram Sharma Vs. Regional Manager U.P. State Industrial Development Authority and another) within stipulated period of time."

3. It appears that a suit for declaration and injunction has been filed by the petitioner in the court of Civil Judge (Senior Division), Gautam Budh Nagar bearing Original Suit No. 1510 of 2022 which is stated to be pending. A perusal of the order-sheet reveals that on 25.4.2023, the next date fixed in the matter was 20.7.2023 for hearing of the application 6C2.

4. It appears that when the matter has been proceeded with by the trial court duly, therefore, the relief as prayed for is declined. However, it is open for the petitioner to move an application before the trial court for expediting the matter which would be considered by the trial court in due course.

5. This petition is, accordingly, **dismissed**.

Order Date :- 19.10.2023

A. V. Singh

(Jayant Banerji, J.)