

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 7354 of 2023

Petitioner :- Smt. Usha Singh

Respondent :- Smt. Sushma Singh And 2 Others

Counsel for Petitioner :- Prashant Sharma

Hon'ble Jayant Banerji, J.

Heard learned counsel for the petitioner.

This petition has been filed seeking the following relief:

"(I) to direct the learned 10th Additional Civil Judge Junior Division Court No. 23, Basti to decide the case No. 34 of 2016 within stipulated time.

(II) to direct the defendant/respondent not to interfere in the peaceful possession of the plaintiff/petitioner over the property in dispute till the disposal of case No. 34 of 2016."

The petitioner is plaintiff in the aforesaid suit No. 34 of 2016 that is stated to be pending in the court of Civil Judge (Junior Division), Basti. The suit seeks a decree of cancellation of gift deed dated 30.6.2006 as well as for permanent injunction. It is stated that written statement was belatedly filed in the year 2022 and now, on 19.4.2023 the issues have been framed. It appears from the order sheet as available, that the evidence is yet to start.

Under the circumstances, the specific direction as sought for, cannot be granted. However, it is expected that the trial court would proceed with the matter without granting any unnecessary adjournment to either of the parties provided there is no legal impediment.

The petition stands **disposed of**.

Order Date :- 31.10.2023

sfa/

(Jayant Banerji, J)