

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 7366 of 2023

Petitioner :- Ramprakash

Respondent :- Premnarayan

Counsel for Petitioner :- Raghvendra Pratap Singh

Hon'ble Jayant Banerji, J.

Heard learned counsel for the petitioner.

This petition has been filed seeking the following relief:

"I. Issue a order or direction in the nature of commanding and directing the learned Magistrate i.e. Civil Judge (J.D.) Konch District Jalaun to decide the permanent injunction as well as Original Suit No. 158 of 2015 (Premnarayan Vs. Ramprakash) expeditiously within specific period as fixed by this Hon'ble Court, during pendency of present petition."

The sole prayer in this petition is for a direction to the Civil Judge (Junior Division), Konch, District Jalaun to decide suit for permanent injunction bearing Original Suit No. 158 of 2015 (Ramnarayan Vs. Ramprakash) expeditiously within a specified period.

It appears that the aforesaid suit has been filed seeking permanent injunction in respect of the suit property. The averments made in paragraph no. 2 of the plaint is that the plaintiff-respondent had sold a part of agricultural plot to the petitioner-defendant on 9.10.1986. It is stated that the suit is pending since the year 2015, but is not being decided.

A perusal of the record of this petition reveals that the entire order sheet has not been enclosed that would evince as to what is the stage of the suit. Under the circumstances, the relief as prayed for, cannot be granted. However, it is expected that the trial court would proceed in the matter without granting unnecessary adjournment to either of the parties, provided there is no legal impediment.

This petition is, accordingly, **disposed of**.

Order Date :- 7.11.2023

sfa/

(Jayant Banerji, J)