

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 7367 of 2023

Petitioner :- Ramveer Singh

Respondent :- Nekram

Counsel for Petitioner :- Som Veer

Hon'ble Jayant Banerji, J.

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

2. This petition has been filed seeking the following reliefs:-

"(i) Issue a writ order or direction in the nature of writ of mandamus commanding and directing the learned Additional Civil Judge (S.D.) II, District Mathura for expeditious disposal of Temporary Injunction Application No.10-Ga dated 05.06.2023 in Suit No.804 of 2021 (Ramveer Singh Vs. Nekram) within a stipulated period of time as fixed by this Hon'ble Court.;

(ii) Issue a writ order or direction in the nature of writ of mandamus commanding and directing the defendant/respondent not to make illegal construction and also not to sale the suit property during pendency of civil Suit No.804 of 2021 (Ramveer Singh Vs. Nekram) before the learned court below."

3. It appears that the petitioner has filed Original Suit No.804 of 2021 seeking specific performance of the contract. It is stated in the petition that an application for temporary injunction 10-Ga is pending, which is not being decided by the Additional Civil Judge (Senior Division) II, Mathura.

4. A perusal of the order-sheet reveals that the suit was filed on 09.11.2021 and the application 10-Ga is stated to have been filed on 05.06.2023. However, the order-sheet filed is only upto 22.05.2023. As such, it is not known whether notices were issued on the temporary injunction application, and whether any response has been filed by the other side. Under the circumstances, the interference is declined.

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

6. The Registrar (Compliance) is directed to send a copy of this order to the concerned court within fifteen days, for information.

Order Date :- 7.11.2023
SK

(Jayant Banerji, J.)