

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 7502 of 2023

Petitioner :- Rukhsana Khatun

Respondent :- Shahid Jamal And 2 Others

Counsel for Petitioner :- Jitendra Singh

Hon'ble Jayant Banerji, J.

Heard learned counsel for the petitioner.

This petition has been filed seeking the following relief:

"a. issue an order or direction to decide the Case No. 267 of 2015 (Rukhsana Khatun Vs. Shahid Jamal & Others) filed by the petitioner pending before the court of Civil Judge (S.D.) Azamgarh expeditiously preferably within a stipulated period of time as fixed by this Hon'ble Court."

Learned counsel for the petitioner states that he is confining this petition to the aforesaid prayer only.

The petitioner appears to have filed a suit bearing Original Suit No. 267 of 2015 seeking a decree for declaration of a sale deed as void and for possession of the suit property. It is stated that the suit had proceeded ex-parte but the proceedings was recalled by an order dated 15.11.2021 after imposing cost of Rs. 300/-. It is stated that thereafter neither the written statement has been filed nor the issues have been framed.

Under the circumstances, this petition is **disposed of** leaving it open for the petitioner to move an application before the trial court concerned seeking expeditious proceeding in the suit. If such an application is filed, the trial court may consider it expeditiously.

Order Date :- 13.10.2023

A. V. Singh

(Jayant Banerji, J.)