

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 7689 of 2023

Petitioner :- Natthu Lal @ Hari Kishan

Respondent :- Mohd. Zareef Shamshi @ Zareef Shamshi

Counsel for Petitioner :- Mohammad Sadab Khan, Mohd. Ashraf

Hon'ble Jayant Banerji, J.

1. Heard learned counsel for the petitioner.
2. This petition has been filed by the defendant-petitioner seeking expeditious disposal of Original Suit No.323 of 2020 (Mohd. Zareef Shamsi @ Zareef Shamsi vs. Natthu Lal @ Hari Kishan & Ors.) pending in the Court of Civil Judge (Junior Division), City, Bareilly.
3. It is stated that the plaintiff-respondent had filed a suit for permanent injunction in respect of the shop in dispute and the appellate court had granted an injunction to the plaintiff-respondent in a miscellaneous appeal and thereafter the injunction is continuing and the petitioner-defendant is being put to loss.
4. A perusal of the order-sheet reveals that issues are yet to be framed.
5. Under the circumstances, in case both the defendants have been duly served with the summons and a written statement is on record, the trial court is required to proceed to frame the issues in the matter without granting any unnecessary adjournments to either of the parties, provided there is no legal impediment.
6. The petition is, accordingly, **disposed of**.

Order Date :- 13.10.2023

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(Jayant Banerji, J.)