Court No. - 44

Case :- MATTERS UNDER ARTICLE 227 No. - 12113 of 2023

Petitioner :- Dalsingar

Respondent :- Ram Murat And 4 Others
Counsel for Petitioner :- Sanjay Kumar Singh,Bal Krishna Rai

Hon'ble Ashutosh Srivastava,J.

1. Heard Shri Sanjay Kumar Singh, learned counsel for the petitioner.

2. Considering the nature of the order proposed to be passed notice upon the private respondents is hereby dispensed with.

3. Present petition, under Article 227 of the Constitution of India, has been filed seeking direction to the Civil Judge (Junior Division), Shahganj, Jaunpur, to decide the proceeding in Case No.192 of 2013 (Dalsingar Vs.Ram Murat & others) within the time frame fixed by this Court.

4. Learned counsel for the petitioner submits that the case has been pending since 2013 and it is a fit case in which directions, as prayed for, may be issued.

5. Learned Counsel for the petitioner has invited the attention of the court to the order-sheet of the proceedings filed as Annexure-3 to the petition in support of his submissions.

6. I have heard learned Counsel for the petitioner and have perused the record.

7. From the order-sheet brought on record, it is borne out that an interim injunction is operating in the Suit till its disposal in favour of the petitioner, who is plaintiff in the Suit. The defendants have put in appearance in the proceedings and the matter is pending for framing of the issues since the year 2019 and despite passage of almost 4 years, issues have yet not been framed.

8. In such circumstances, this Court deem it appropriate to dispose of this petition by requiring the Civil Judge (Junior Division), Shahganj, Jaunpur, to make all endeavour to frame the issues and thereafter proceed to decide the same expeditiously without

granting any unwarranted adjournment to either of the parties.

9. Ordered accordingly.

Order Date :- 29.11.2023
Irshad

Digitally signed by :-
IRSHAD AHMAD SIDDIQUI
High Court of Judicature at Allahabad