

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 8797 of 2023

Petitioner :- Raghvendra

Respondent :- Smt. Savitri Devi And 4 Others

Counsel for Petitioner :- Niraj Tiwari

Hon'ble Jayant Banerji,J.

1. Heard learned counsel for the petitioner.
2. This petition has been filed seeking a direction to the Civil Judge (Senior Division), Jhansi to grant temporary injunction in Original Suit No.72 of 2023 (Raghvendra vs. Smt. Savitri Devi & Ors.). A further direction has been sought to decide the application dated 31.07.2023 filed before the trial court for urgent hearing of the matter.
3. It appears that a suit for specific performance has been filed by the petitioner against respondents. As per the statement made by the learned counsel for the petitioner, the respondent no.5 is yet to be served.
4. Under the circumstances, since the parties are not duly served, no specific direction as sought for can be granted by this Court. Even otherwise, it is the trial court which will duly consider the application for temporary injunction on its merit and this Court in exercise of jurisdiction under Article 227 of the Constitution would not mandate the trial court to pass any order.
5. However, since an application for urgent hearing of the matter is stated to be filed by the petitioner on 31.07.2023, this Court has no

reason to doubt that if such an application has been duly filed, the same would be considered by the trial court.

6. The petition is, accordingly, **disposed of**.

Order Date :- 26.10.2023

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(Jayant Banerji, J.)