

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 8498 of 2023

Petitioner :- Muneb

Respondent :- Chandrika And 8 Others

Counsel for Petitioner :- Prashant Sharma, Upendra Malviya

Hon'ble Jayant Banerji, J.

Heard learned counsel for the petitioner.

This petition has been filed by the plaintiff-petitioner seeking the following relief:

"(I) to direct the Additional Civil Judge Junior Division Court No. 3 Varanasi for deciding the Suit No. 826 of 2020 (Muneb Versus Chandrika and 7 others) within stipulated period i.e pending since 2020.

(II) to direct the petitioner not to interfere in the peaceful possession of the respondent/petitioner over the property in dispute."

Learned counsel for the petitioner states that he is confining this petition to press prayer no.1 alone.

It appears that the petitioner instituted a suit for permanent injunction with regard to the property in dispute in the year 2020. It is contended that all the defendants have not appeared but some have appeared. It is further stated that no written statement has yet been filed.

Under the facts and circumstances, the relief as prayed for is declined at this stage. However, it is left open to the petitioner to move an application before the Judge concerned who is in siesin of the suit, for proceeding with the case. If such an application is filed, the same will be considered by the trial court.

This petition is, accordingly, **disposed of**.

Order Date :- 13.10.2023

sfa/

(Jayant Banerji, J)