

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 8853 of 2023

Petitioner :- Shah Alam

Respondent :- Deputy Commissioner Industries And 5 Others

Counsel for Petitioner :- Muqeem Ahmad

Counsel for Respondent :- C.S.C., Ashish Agrawal

Hon'ble Jayant Banerji, J.

1. Heard Shri Muqeem Ahmad, learned counsel for the petitioner, learned Standing Counsel for the respondent nos. 1, 2, 3 and 4 and Shri Mehul Khare, learned counsel for the respondent nos. 5 and 6.

2. This petition has been filed seeking a direction to the Civil Judge (Senior Division), Azamgarh, to decide the Original Suit No. 115 of 2015 (Shah Alam Vs. Deputy Commissioner and others) that is pending before his court.

3. It is the contention of the learned counsel for the petitioner that a suit seeking injunction and declaration has been filed by the plaintiff-petitioner against the respondents which is still pending. It is stated that the issues were framed by the court on 16.12.2019.

4. Shri Mehul Khare, learned counsel for the respondents has stated that the suit is the outcome proceedings initiated by the Deputy Commissioner of Industries, defendant-respondent no. 1, against the petitioner-plaintiff for recovery of the amount of margin money.

5. It appears from the record that the entire order-sheet has not been enclosed with this petition. Only extracts of the order-sheet are on record. As such, it cannot be ascertained as to what is the stage of proceedings. However, given the fact that the suit was instituted in 2015, it is expected that the trial court would proceed with the matter without granting any unnecessary adjournment to either of the parties.

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

Order Date :- 3.11.2023

A. V. Singh

(Jayant Banerji, J.)