

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 9388 of 2023

Petitioner :- Riyasatdar

Respondent :- Ram Dulare And Another

Counsel for Petitioner :- Kamal Kumar Singh

Hon'ble Jayant Banerji, J.

1. Heard learned counsel for the petitioner.

2. This petition has been filed seeking the following relief:

"i) Issue an order or direction, under 227 of the Constitution of India, direct the Civil Judge (Jr. Division), Basti to decide the Original Suit No. 378 of 2016, (Riyasatdar vs. Ram Dulare and another) pending in the court of Civil Judge (Jr. Division), Basti, within specific stipulated period.

ii) Issue any other order or direction, which this Hon'ble Court may deem fit and proper under the facts and circumstances of the case."

3. It appears that a suit for demolition as well as possession and for mandatory injunction and permanent injunction was filed by the petitioner-plaintiff which is stated to be pending. It is stated by the learned counsel for the petitioner that the issues has already been framed on 26.9.2016 but for one reason or another, the case is not being decided..

4. Under the circumstances, it is left open to the petitioner to move an appropriate application seeking expeditious disposal of the civil suit before the trial court. In case, such an application is filed by the petitioner, the trial court shall consider and decide the same expeditiously.

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

Order Date :- 9.11.2023

A. V. Singh

(Jayant Banerji, J.)