

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 8865 of 2023

Petitioner :- Rajkaran Singh

Respondent :- Vinay Kumar Singh And 2 Others

Counsel for Petitioner :- Dinesh Chandra Dwivedi

Hon'ble Jayant Banerji, J.

1. Heard learned counsel for the petitioner.
2. This petition has been filed by the plaintiff of the Original Suit No. 156 of 2020, that is stated to be pending the court of Civil Judge (Senior Division), Allahabad (Rajkaran Singh Vs. Vinay Kumar Singh and others). The aforesaid suit was filed on 3.9.2020 seeking a relief of permanent injunction in respect of a property which appears to be abadi as per statement made in the plaint.
3. The contention of the learned counsel for the petitioner is that notice on application 6C was issued pursuant to the order dated 7.9.2020 which is not being decided and the case is pending. The contention is that the property is abadi and in case the matter is not decided early, the civil rights of the plaintiff-petitioner would be seriously affected.
4. In case, the defendants are not appearing in the suit, it is for the petitioner to move an appropriate application before the trial court for proceeding with the suit expeditiously. If such an application is filed, the trial court shall consider the same.
5. This petition is, accordingly, **disposed of**.

Order Date :- 23.11.2023

A. V. Singh

(Jayant Banerji, J.)