

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 9102 of 2023

Petitioner :- Romit Vishwakarma And Another

Respondent :- Rohit Vishwakarma

Counsel for Petitioner :- Rajendra Kumar Sonker

Hon'ble Jayant Banerji,J.

1. Heard learned counsel for the petitioners.

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

"It is, therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to direct the Civil Judge (Junior Division) Ghaziabad to decide Original Suit No. 184 of 2022 Rohit Vishwakarma Versus Romit Vishwakarma and another expeditiously as possible as within short stipulated period."

3. It appears that the plaintiff-respondent filed Original Suit No.184 of 2022 in the court of the Civil Judge (Junior Division), Ghaziabad seeking a decree of declaration of him being owner of a half part of the suit property which appears to be a house. A further decree has been sought in the nature of an injunction restraining the defendant-petitioners from interfering the plaintiff.

4. A perusal of the order-sheet reflects that on an application, paper no.6-C2, under Order XXXIX Rules 1 and 2 read with Section 151 CPC, notices were issued on 25.03.2022. The application 6-C2 was allowed on 26.05.2022 and issues are yet to be framed.

5. Under the circumstances, no direction as sought for can be issued as this is still early stage in the suit.

6. The petition is, accordingly, **dismissed**.

7. The Registrar (Compliance) is directed to send a copy of this order to the concerned court within fifteen days, for information.

Order Date :- 5.12.2023
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(Jayant Banerji, J.)