

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 9123 of 2023

Petitioner :- Bihari Lal

Respondent :- Bankey Lal

Counsel for Petitioner :- Indradeo

Hon'ble Jayant Banerji, J.

1. Heard learned counsel for the petitioner.

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

"I- Pass an order directing to direct the learned court i.e. Additional Civil Judge (Aa. Kh.) Court no. 10, Varanasi to decide the Case No. 145 of 2018 (Bihari Lal Vs. Bankey Lal) expeditiously within stipulated period as fix by the Hon'ble High Court, which is still pending in the court of Additional Civil Judge (Aa. Kh.) Court No. 10, Varanasi."

3. It appears that the aforesaid original suit is filed seeking partition of a house that is stated to be inherited by the parties, who are brothers. It is stated that the issues were framed on 4.1.2023 and the petitioner is facing a lot of difficulty due to pendency of the suit.

4. A perusal of the order-sheet reveals that on 15.7.2023, an order was passed whereby the Amin report was awaited and the case was fixed for 21.8.2023.

5. Given the facts and circumstances of the case of the present case, the trial court is required to proceed with the suit in accordance with law without granting any unnecessary adjournment to either of the parties.

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

Order Date :- 9.11.2023

A. V. Singh

(Jayant Banerji, J.)