Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 9048 of 2023

Petitioner :- Satish And Another
Respondent :- Smt. Ganga Devi
Counsel for Petitioner :- Pradeep Kumar,Piyush Patel

Hon'ble Jayant Banerji,J.

1. Heard Shri Pradeep Kumar VI, learned counsel for the petitioner.

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

"(i) issue a order to direct to the learned Civil Judge (J/D), Maharajganj to decide the original suit no. 745 of 2016 (Smt. Sukhla Devi Vs. Ganga Devi), pending before the court of learned Civil Judge (J/D), Maharajganj, within stipulated period fixed by this Hon'ble Court."

3. The array of the parties in this petition is as under:

"1. Satish son of Vipat @ Vipatti,

2. Smt. Sulkha Devi wife of late Vipat @ Vipatti,

Resident of Village & Post- Savergi, Tappa- Kathara, Pargana- Haveli, Tehsil- Sadar, District Maharajganj.

..... Petitioner/plaintiff.

Smt. Ganga Devi wife of Ajay Kumar Gupta,

Resident of Mohalla- Rajiv Nagar, Nagar Palika Parishad, Maharajganj, Tappa- Kathara, Pargana- Haveli, Tehsil- Sadar, District Maharajganj.

..... Respondent/defendant."

4. A perusal of the plaint that is enclosed as Annexure No. 1 to the petition reflects that the aforementioned petitioner no. 1, Satish is not a party in the suit yet he has filed this petition seeking the aforesaid relief. The aforesaid suit has been filed seeking a relief of cancellation of a gift deed dated 18.1.2016. The certified copy of the order-sheet has not been enclosed that would evince the stage of the suit. Moreover, this petition has also been filed by the petitioner no. 1, who is evidently not a party in the aforesaid suit.

5. No direction as sought for can be granted. This petition is, therefore, **dismissed**.

6. Registrar (Compliance) is directed to communicate this order to the court concerned within a period of fifteen days from today for its record.

Order Date :- 21.11.2023
A. V. Singh

(Jayant Banerji, J.)

Digitally signed by :-
AJAY VIKRAM SINGH
High Court of Judicature at Allahabad