

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 9059 of 2023

Petitioner :- Hanuman Prasad @ Hanuman Prasad Poddar

Respondent :- Ritu Upadhyay And Another

Counsel for Petitioner :- Rahul Kumar Sharma, Saurabh Agarwal

Hon'ble Jayant Banerji, J.

Heard Shri Mushir Khan (Advocate Roll- A/M 0186/2018), Advocate holding brief of Shri Rahul Kumar Sharma, learned counsel for the petitioner.

This petition has been filed seeking the following relief:

"a. issue an order or direction to direct the Civil Judge (Senior Division)/F.T.C., Hathras, District Hathras to decide the original suit No. 273 of 2020 (Hanuman Prasad Vs. Ritu Upadhyay and another) within stipulated period fix by this Hon'ble Court."

It appears that the Original Suit No.273 of 2020 was filed in the court of the Civil Judge (Senior Division), Hathras, seeking a relief of permanent injunction with regard to the immovable property in which issues were framed on 5.8.2022. A perusal of the certified copy of the order-sheet reflects that on 21.7.2023, the testimony of PW-2 has been recorded and 31.7.2023 was date fixed for recording of the remaining evidence.

Since, the evidence in the matter is proceeding, no specific direction as sought for is required to be issued and, as such, no interference is called for. However, it is expected that the trial court would proceed with the matter without granting any unnecessary adjournment, subject to availability of time.

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

Order Date :- 21.11.2023

K.K.Tiwari

(Jayant Banerji, J.)