

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 9100 of 2023

Petitioner :- Sugriv Prasad And Another

Respondent :- Smt. Govinda Devi @ Genda Devi And 5 Others

Counsel for Petitioner :- Pankaj Dwivedi

Hon'ble Jayant Banerji, J.

1. Heard Shri Pavan Kumar Mishra (AOR No.A/P 0115/2012), holding brief of Shri Pankaj Dwivedi, learned counsel for the petitioners.

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

"(i) direct the learned Additional District Judge, Court No.12, Allahabad to decide the Civil Appeal No.120 of 2018 (Govinda Devi vs. Sugriv Prasad) (Annexure No.3 to the misc.petition), within the time stipulate by this Hon'ble Court."

3. It appears that Original Suit No.551 of 2010 was filed by the plaintiff-respondents seeking relief of permanent injunction and cancellation of a sale-deed dated 26.05.2006, which was dismissed by a judgment and order dated 31.07.2018 and against that order, Civil Appeal No.120 of 2018 was filed by the plaintiff-respondents, which is stated to be pending.

4. The petitioners are the defendants in the suit. No reason has been disclosed as to why Civil Appeal No.120 of 2018 should be given precedence over other appeals pending. In case the petitioners seek expeditious disposal of the appeal, it is for them to move an application before the court concerned. No direction is required to be issued.

5. This petition is, therefore, **dismissed**.

Order Date :- 29.11.2023

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(Jayant Banerji, J.)