

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 9129 of 2023

Petitioner :- Indrawati Devi

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Vijay Prakash Mishra, Kriti Singh

Counsel for Respondent :- C.S.C.

Hon'ble Jayant Banerji, J.

1. Learned counsel for the petitioner prays for and is permitted to delete the State of U.P. as respondent no. 1 from the array of parties in the petition and to re-number the respondents. The office is also required to correctly reflect the array of parties in the records of this petition including the computerized records.

2. Heard learned counsel for the petitioner.

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

"I. Issue a order or direction directing Civil Judge (Junior Division) Hawali, Varanasi to decide the 6-C application dated 14.09.2021 filed along with original suit no. 2252/2021 (Indrawati Devi Versus Chhotey Lal and others), pending before him within stipulated period as may be directed by this Hon'ble Court."

4. It appears that a suit for declaration of gift deed dated 11.2.2021 as void and for permanent injunction was filed by the plaintiff-petitioner. It is stated by learned counsel that on 14.9.2021, only notices were issued on application 6C filed by the petitioner which is yet to be decided despite passing of more than two years.

5. Under the facts and circumstances of the case and without expressing any opinion on merits, this petition is **disposed of** with a direction that in case there is no legal impediment, the trial court is requested to endeavour to decide the application 6C without granting any unnecessary adjournment to either of the parties.

Order Date :- 9.11.2023

A. V. Singh

(Jayant Banerji, J.)