

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 9119 of 2023

Petitioner :- Gorakh

Respondent :- Kamlesh And 4 Others

Counsel for Petitioner :- Rajesh Kumar

Hon'ble Jayant Banerji, J.

1. Heard learned counsel for the petitioner.

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

"a) issue an order or direction directing the learned court (Civil Judge (Junior Division), Shahar, Azamgarh) to make a disposal of O.S. No. 1051/2011 (Kamlesh Vs Khaderu and others) expeditiously within a stipulated period."

3. It appears that Original Suit No.1051 of 2011 was filed by the plaintiff-respondent in the court of the Civil Judge (Junior Division), City, Azamgarh, seeking a decree of permanent injunction. Written statement was filed and thereafter issues were framed on 7.3.2014. The contention of the learned counsel for the petitioner is that the case is being adjourned and delayed due to the deliberate acts of the plaintiff-respondent by moving repeated applications before the court.

4. Considering the facts and circumstances of the case, and without expressing any opinion on merits, this petition is **disposed of** with a direction to the trial court to proceed to consider the aforesaid suit and take it to its logical conclusion without granting any unnecessary adjournment to either of the parties, provided there is no legal impediment.

Order Date :- 2.11.2023

K.K.Tiwari

(Jayant Banerji, J.)