

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 9763 of 2023

Petitioner :- Smt. Sheela Devi

Respondent :- Rajeev Singh And 4 Others

Counsel for Petitioner :- Shiv Kumar Singh

Hon'ble Jayant Banerji, J.

1. Heard Shri S.K. Singh, learned counsel for the petitioner.

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

"(i) Issue an order or direction to the learned court to decide Suit No. 314/2022 (Smt. Sheela Devi Vs. Rajeev Singh and others), pending before Civil Judge Senior Division, Ghaziabad within a time bound manner, in the shortest period of span, as determined by this Hon'ble Court."

3. It is the contention of the learned counsel for the petitioner is that the sole petitioner is 83 years of age and after the death of her husband, she has been thrown out of her house over which the widow plaintiff is entitled to at least 1/6th of the share of the house.

4. Though, normally this Court is hesitant to pass orders for out of turn disposal of a suit, however, in the peculiar circumstances, given the advanced age of the plaintiff, the trial court is requested to proceed in the matter without granting any unnecessary adjournment to either of the parties and endeavour expeditious disposal of the suit. This order has been passed without consideration of the merits of the case of any of the parties and would not operate in case there is any legal impediment and if the defendants have not been duly served and represented.

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

Order Date :- 17.11.2023

A. V. Singh

(Jayant Banerji, J.)