

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 9532 of 2023

Petitioner :- Smt.Nirmala Devi

Respondent :- Sunipal And 4 Others

Counsel for Petitioner :- Satyendra Kumar Singh

Hon'ble Jayant Banerji, J.

Heard learned counsel for the petitioner.

This petition has been filed by the defendant no.1 of Original Suit No. 1549 of 2019, in which the plaintiff-respondents had sought a declaratory decree of voidance of sale deed dated 26.4.2006 as well as for permanent injunction with regard to the suit property, seeking expeditious decision of the suit.

It is the contention of the learned counsel for the petitioner that the suit was instituted on 15.4.2019 and the issues were framed on 19.9.2019, but is yet to be decided.

From perusal of the supplementary affidavit that has been filed today in court and has been taken on record, it appears that an application under Order 7 Rule 11 read with Section 151 CPC was filed by the defendants which, as contended by learned counsel, was heard and order was reserved.

Under the circumstances, since the orders are reserved on the application under Order 7 Rule 11 CPC filed by the defendant, the relief sought for is misconceived.

This petition is, accordingly, **dismissed**.

Registrar (Compliance) is required to send a copy of this order to the court concerned within fifteen days.

Order Date :- 11.12.2023

sfa/

(Jayant Banerji, J)