

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 10101 of 2023

Petitioner :- Rajesh Kumar Gupta

Respondent :- Bala Prasad And Another

Counsel for Petitioner :- Anil Kumar Pandey

Hon'ble Jayant Banerji, J.

1. Heard learned counsel for the petitioner.

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

"a) direct the learned Addl. Civil Judge (Senior Division), Court No.2, Gorakhpur to decide the suit No.650 of 2021 (Rajesh Kumar Gupta and another Vs. Bala Prasad and another) expeditiously, preferably within a period of 3 months or within time as stipulated by this Hon'ble Court."

3. The contention is that the aforesaid Suit No.650 of 2021 was filed by the petitioner on 21.09.2021 seeking eviction as well as possession. It is stated that the defendant has appeared and written statement was filed on 19.05.2022. It is further stated that issues were framed on 16.07.2022 and the defendant's evidence is in progress.

4. However, certified copy of the order sheet has not been filed.

5. Accordingly, the specific direction as sought for cannot be granted.

6. Since, as contended the case is proceeding at the stage of evidence of the defendant, it is evident that the court is proceeding with the matter with due expedition.

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

Order Date :- 24.11.2023

SFH

(Jayant Banerji, J.)