

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 9711 of 2023

Petitioner :- Shri Surendra Singh

Respondent :- Shri Surjeet Singh And 5 Others

Counsel for Petitioner :- Manas Bhargava, Dipti Tiwari

Hon'ble Jayant Banerji, J.

1. Heard Sri Manas Bhargava, learned counsel for the petitioner.

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

"a) To direct the learned Ist Additional Civil Judge (Senior Division), Kanpur Nagar to decide the Original Suit No. 514/2004 (Surendra singh Vs. Surjeet Singh and others) which is pending before the trial court, within a stipulated period of time as fixed by this Hon'ble High Court."

3. It appears that earlier the petitioner had approached this Court in a petition being Matters Under Article 227 No. 8661 of 2016, which was disposed of on 2.11.2016 with certain directions to the court concerned. Thereafter, this second petition has been filed seeking the same relief.

4. When this petition was listed on 3.10.2023, this Court had directed that a report be summoned from the District Judge, Kanpur Nagar explaining the reason for delay in disposal of the case.

5. Office has placed on record the report of District Judge dated 16.10.2023. The report of District Judge comes alongwith a report of Additional Civil Judge (Senior Division), Court No.1, Kanpur Nagar, in which it has been stated that due to court being vacant for a long period of time and due to Covid-19 pandemic, the case is pending and no deliberate negligence is there in considering the case. The report of the District Judge reflects that the Presiding Officer of the court has been directed to expedite disposal of Original Suit No. 514 of 2004.

6. In view of the direction of the District Judge, no further order is required to be passed.

7. This petition is, therefore, **disposed of**.

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

Order Date :- 14.12.2023

sfa/

(Jayant Banerji, J)