

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 9713 of 2023

Petitioner :- Sunita Yadav

Respondent :- Rakesh Yadav And Another

Counsel for Petitioner :- Prabhat Kumar Singh, Akhand Pratap Singh

Hon'ble Jayant Banerji, J.

1. Heard learned counsel for the petitioner.

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

"1. issue a order or direction to direct the Civil Judge (Junior Division) City, Azamgarh to decide the Original Case No.1277 of 2021 (Sunita and Another Vs. Rakesh and Another), pending before the him since 2021, within stipulated time frame fixed by this Hon'ble Court, during the pendency of the present matter under Article 227 of the Constitution of India before this Hon'ble Court."

3. It appears that the petitioner along with another, filed a suit seeking cancellation of a sale deed registered on 26.10.2019. In the aforesaid suit, the defendant No. 2 has appeared and has filed a written statement and notice on the defendant No. 1 has been found to be sufficient by an order of the trial court dated 10.11.2022. The order-sheet after the order dated 19.12.2022 has not been filed.

4. As such, it is not possible to ascertain the stage of the suit. As such, no interference is called for in this petition. However, it is left open to the petitioner to move an appropriate application before the trial court for expeditious framing of the issues.

5. If such an application is filed, the same would be considered by the trial court expeditiously. This petition is, accordingly, **disposed of**.

Order Date :- 23.11.2023

K.K.Tiwari

(Jayant Banerji, J.)