

Court No. - 40

Case :- WRIT - C No. - 32708 of 2023

Petitioner :- M/S Econon Sports Land (A Unit Cf)

Respondent :- State Of U.P. And 6 Others

Counsel for Petitioner :- Rakesh Kumar Srivastava

Counsel for Respondent :- C.S.C.

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Prashant Kumar,J.

1. Heard learned counsel for the petitioner and Ms. Uttara Bahuguna, learned Additional Chief Standing Counsel for the State-respondent.
2. In view of the order, which is proposed to be passed today, notices need not go to the private respondent.
3. The present writ petition has been preferred seeking following principal reliefs.

"(i) Issue a writ, order or direction in the nature of certiorari quashing the order dated 06.03.2023 passed by District Consumer Dispute Redressal Commission Gautambudh Nagar in execution case no. 58 of 2021 arising out of complaint no. 612 of 2015: Rajesh Kumar Goswami V/s. M/s Econon Residency Bildcon and another.

(ii) Issue a writ, order or direction in nature of mandamus directing State Consumer Dispute Redressal Commission U.P., Lucknow to hear and decide interim application filed in AIA/12/2023:M/s Econon Sports Land V/s. Rajesh Goswami expeditiously and till the application is decided recovery proceeding in pursuance to the order dated 6.3.2023 be kept in abeyance."

4. After substantial arguments once the Court has declined to accord first relief, confronted with the situation, learned counsel for the petitioner fairly states that the direction may be issued to the respondent no. 7 to decide the interim application filed by petitioner in the aforementioned case expeditiously.

5. Considering the facts and circumstances of the case and without advertng on merits of the issue, we dispose of the writ petition asking the respondent no. 7 to decide the interim application pending in aforesaid case, strictly in accordance with law, as expeditiously as possible and preferably within six weeks from the date of production of certified copy of this order, without granting unnecessary adjournment to either of the parties but certainly after affording opportunity to all stakeholders in the matter.

Order Date :- 19.10.2023

A.K.Srivastava