

Court No. - 4

Case :- MATTERS UNDER ARTICLE 227 No. - 9906 of 2023

Petitioner :- Sarat Gupta

Respondent :- Arya Samaj Khalapar And 15 Others

Counsel for Petitioner :- Vatsala,Ravi Kant

Counsel for Respondent :- Chetan Chatterjee,Prashant Krishan

Hon'ble Prakash Padia,J.

1. Pursuant to the order passed by this Court, decision has been taken by the Judge Small Cause, Saharanpur dated 10.11.2023, is already on record.

2. In this view of the matter, it is argued that the orders which are under challenged in the present petition namely the order dated 25.09.2018 passed by the S.C.C. Judge, Saharanpur in S.C.C. Suit No.39 of 2007 as well as the order dated 31.05.2023 passed by the Additional District Judge, Court No.3, Saharanpur in S.C.C. Revision No.36 of 2018 is liable to be set aside.

3. This prayer has not been opposed by the counsel for the respondents.

4. In view of the aforesaid, the orders which are under challenged in the present petition namely the order dated 25.09.2018 as well as order dated 31.05.2023 are liable to be set aside and is hereby set aside. The Court below is directed to proceed with the matter strictly in accordance with the order passed by the Judge Small Cause, Saharanpur dated 10.11.2023.

5. Accordingly, the petition is allowed.

Order Date :- 4.12.2023

Swati