

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 10216 of 2023

Petitioner :- Ramji @ Rammu

Respondent :- Rameshwar And 14 Others

Counsel for Petitioner :- Sanjay Kumar Rai

Hon'ble Jayant Banerji, J.

Heard Sri Ankit Sharma, (Advocate Roll No. A/A 1057/2023), holding brief of Sri Sanjay Kumar Rai, learned counsel appearing for the petitioner.

This petition has been filed seeking the following relief:

"i. To issue a order or direction commanding to direct the Munsif Court Mirzapur to decide the case No. 408 of 1993 (Ramji @ Rammu Vs. Rameshwar and others) expeditiously within stipulated time without granting unnecessary adjournment to either party."

When the matter was listed on 6.10.2023, the Court had directed that a report be summoned from the District Judge, Mirzapur as to the reason for not disposal of the aforesaid case which is pending for the last thirty years.

The office report of 26.10.2023 places the report dated 19.10.2023 received from the District Judge, Mirzapur. The report has been perused.

It appears from the report that the suit is proceeding exparte against the respondent nos. 17 to 21 from 5.5.2022. The preliminary issues nos. 3 and 4 were decided on 19.7.2023 and consideration of other issues is pending.

Given the fact that the suit is pending for more than thirty years, this Court requires the trial court to ensure that the suit proceedings are brought to its logical conclusion, without entertaining unnecessary adjournments from the parties, in case there is no legal impediment in proceeding further and all the parties are duly served with notice of the proceeding.

With the aforesaid observation, the petition is **disposed of**.

Order Date :- 6.12.2023

sfa/

(Jayant Banerji, J)