

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 10249 of 2023

Petitioner :- Dinesh And Another

Respondent :- Smt. Baby And 5 Others

Counsel for Petitioner :- Sheetal Verma, Devesh Kumar Verma

Hon'ble Jayant Banerji, J.

Heard Sri Gobardhan Prasad Gupta (Advocate Roll No. A/G0961/2023), holding brief of Sri Devesh Kumar Verma, learned counsel appearing for the petitioners.

This petition has been filed seeking the following relief:-

"(i) allow this petition, and may direct to first Additional Civil Judge (S.D.), Kanpur Nagar to decide the civil suit no. 539 of 2009 Dinesh and others Vs. Smt. Baby and others expeditiously within the time which may be specified by this Hon'ble High Court."

It appears that Original Suit No. 5439 of 2009 was filed by the petitioners in the court of Civil Judge (Senior Division), Kanpur Nagar seeking a declaratory decree of voidance of Will Deed dated 2.4.2007. It is stated that the issues were framed on 7.9.2010, but the matter is not being decided.

As the matter is pending since 2009, the trial court is directed to proceed with the matter without granting any unnecessary adjournment to either of the parties provided the notices on the parties are duly served and there is no legal impediment.

The petition is, accordingly, **disposed of**.

Order Date :- 6.12.2023

sfa/

(Jayant Banerji, J)