

Court No. - 4

Case :- MATTERS UNDER ARTICLE 227 No. - 10163 of 2023

Petitioner :- Chaudhary Charan Singh University

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Avneesh Tripathi

Counsel for Respondent :- C.S.C., Pankaj Srivastava

Hon'ble Prakash Padia, J.

1. Heard learned counsel for the petitioner/petitioners and perused the record.
2. In view of the order proposed to be passed herein, no useful purpose would be served by putting the opposite party to notice and keeping this petition pending before this Court. However, in case the opposite party feels aggrieved by the order his/her right to seek modification/variation of the order is being kept reserved.
3. The basic relief sought by the petitioner/petitioners in the present petition under Article 227 of the Constitution of India is to direct the court below to decide the injunction application filed in Tax Appeal No.46 of 2023 expeditiously.
4. It is argued by learned counsel for the petitioner that an appeal being Tax Appeal No.46 of 2023 is pending before court below i.e. Judge Small Causes, Meerut from last several months. It is further argued that along with the aforesaid appeal, stay application has also been filed. The matter is extremely urgent.
5. This fact regarding pendency of the appeal is duly admitted by Sri Pankaj Srivastava, learned counsel for respondent nos. 2 to 4.
6. In this view of the matter, this Court is of the opinion that the court below before whom the aforesaid appeal is pending is directed to decide the same expeditiously and positively within a period of two months from today, insofar as the stay application is also concerned. The court below is further directed to pass appropriate orders to the stay application filed in Tax Appeal No.46 of 2023 on the next date fixed in the matter. On account of any reason, if no orders have been passed, the court below shall decide the same within ten days thereafter.
7. With the aforesaid, the present petition is disposed of.

Order Date :- 4.12.2023

S.K.