

Court No. - 4

Case :- MATTERS UNDER ARTICLE 227 No. - 10740 of 2023

Petitioner :- Smt. Husnara Begum

Respondent :- Narayan Singh Halwai @ Mama Halwai (Since Deceased) And 6 Others

Counsel for Petitioner :- Sanjay Kumar Dubey

Hon'ble Prakash Padia,J.

1. The following order was passed on 18.10.2023:-

"1. The present petition has been filed inter-alia with the prayer to direct the Civil Judge (Senior Division) Hathras to conclude the proceedings of S.C.C. Suit No.3 of 2017 (mt. Husnara Begum Vs. Narayan Singh Halwai @ Mama Halwai and others) within a stipulated period.

2. It reveal from perusal of the order-sheet that w.e.f. 25.08.2017 the matter was listed on various dates but till date no final decision has been taken on the same.

3. In view of the matter and in view of the fact that suit is pending since 2015, the Civil Judge (S.D.), Hathras or before whom the proceeding of the aforesaid case is pending shall submit his comments on or before 27.10.2023.

4. Put up as fresh on 02.11.2023.

5. Copy of this order be communicated by the Registrar (Compliance) to the Civil Judge (Senior Division) Hathras through District Judge, Hathras within 24 hours."

2. Pursuant to the same, a report has been submitted by the Presiding namely Civil Judge (Senior Division) Hathras dated 21.10.2023 is already on record.

3. It is stated in the aforesaid report that the matter is pending consideration before the court below and the next date fixed in the matter is 22.11.2023. It is further stated that court below will decide the suit in question, expeditiously. The operative portion of the report submitted by the Presiding Officer reads as follows:-

"मेरे द्वारा दिनांक 29.08.2022 को संशोधन प्रार्थनापत्र 26 ग को स्वीकार कर पत्रावली वास्ते अग्रिम कार्यवाही दिनांक 21.09.2022 नियत की गयी। तत्पश्चात पत्रावली वास्ते सुनवाई प्रार्थनापत्र 16 ग 2 दिनांक 22.11.2023 नियत की गयी है। प्रार्थी द्वारा उक्त लघुवाद को विधि अनुसार शीघ्र निस्तारण हेतु प्रयास किया जा रहा है। "

5. In this view of the matter, the present petition is disposed of finally in terms of the aforesaid report submitted by the Presiding Officer, Hathras.

6. It is made clear that parties will not take any unnecessary adjournment.

Order Date :- 2.11.2023

Swati