

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 10241 of 2023

Petitioner :- Lalji

Respondent :- Gopal And Another

Counsel for Petitioner :- Hari Shanker, Sunil Kumar Singh

Hon'ble Jayant Banerji, J.

Heard learned counsel for the petitioner.

This petition has been filed seeking the following relief:-

"(i) Issue suitable direction directing learned Civil Judge (Junior Division), Bhadohi to consider, decide and dispose of Suit No. 1053 of 2018, Lalji Vs. Gopal, filed by plaintiff/petitioner pending before learned Civil Judge (Junior Division), Varanasi expeditiously within a stipulated period provided by this Hon'ble Court."

It appears that the petitioner has filed Original Sit No. 1053 of 2018 in the court of Civil Judge, (Junior Division), Varanasi seeking a decree of partition of Arazi No. 157 area 18 decimal as well as for permanent injunction.

A perusal of the plaint that has been filed as Annexure no.1 to this petition reflects that the suit property has been described as Aarzi (agricultural land). As such, the maintainability of the suit itself is an issue before the civil court, therefore, interference is declined.

This petition is, accordingly, **dismissed**.

Registrar (Compliance) is required to send a copy of this order to the court concerned within fifteen days.

Order Date :- 6.12.2023

sfa/

(Jayant Banerji, J)