

Court No. - 4

Case :- APPLICATION U/S 482 No. - 38129 of 2023

Applicant :- Lalman Yadav

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Ravindra Kumar Yadav

Counsel for Opposite Party :- G.A.

Hon'ble Prakash Padia,J.

1. Heard learned counsel for the applicant and learned AGA for the opposite party no.1.

2. The present 482 Cr.P.C. application has been filed with the prayer to direct the Additional Session Judge-Ist, Jaunpur to conclude the proceeding of Session Trial No. 163 of 2016 (State of U.P. Versus Vinay Singh), under section 302, 307, 504, 506 I.P.C. and 7 Criminal Law Amendment Act arising out of case crime No. 0847 of 2015, Police Station Kerakat, District Jaunpur within stipulated period.

3. Very recently Hon'ble Apex Court in **Special Leave Petition (Civil) No(s). 38375 of 2023 (Mohd. Faiyaz Khan vs. State of U.P. and others)** passed an order on **27.09.2023** stating therein that unless the situation is extraordinary, the Court should not direct any Court to decide any pending case in a time-bound manner. The order dated 27.09.2023 is quoted hereinbelow :-

"Heard the learned counsel appearing for the petitioner.

Unless the situation is extraordinary, this Court should not direct any Constitutional Court or for that matter, any Court, to decide any pending case in a time-bound manner. It cannot be that those who afford to come this Court, get priority and others wait in the queue.

No case for interference is made out in exercise of our jurisdiction under Article 136 of the Constitution of India. The Special Leave Petition is accordingly dismissed on ground of delay as well as on merits.

It is for the petitioner to move the High Court for expeditious hearing of the case.

Pending application(s) also stands disposed of."

4. From perusal of the record it transpires that nothing has been

stated in the entire application that there is any extraordinary situation nor any arguments has been made in this regard by the learned counsel for the applicant to direct the court below to decide the aforesaid case in a time bound manner.

5 In this view of the matter, present application is dismissed.

6. However, court below is expected to decide the aforesaid case strictly in accordance with law without granting any unnecessary adjournment to either of the parties unless there is no legal impediment.

Order Date :- 13.10.2023

Pramod Tripathi