Court No. - 4

Case :- MATTERS UNDER ARTICLE 227 No. - 10499 of 2023

Petitioner :- Rupesh Dave
Respondent :- Manoj Kumar Agrawal And 2 Others
Counsel for Petitioner :- Ashok Kumar Chaubey

Hon'ble Prakash Padia,J.

1. Heard learned counsel for the petitioner and perused the record.

2. The only prayer made by the petitioner in the present petition to direct the Court below to decide the injunction application being Paper No.6C filed in Suit No.303 of 2020 (Rupesh Dave Vs. Manoj Kumar Agrawal and others) expeditiously.

3. 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.

4. It is argued by learned counsel for the applicant that the injunction is urgently required and considerable time has already been lapsed but till date the same is still pending.

5. This Court has already directed all the subordinate courts to ensure disposal of interim injunction applications within six months failing which, they shall have to record reasons. The said direction was issued by the letter dated 16.8.2017 bearing No.CL No.24/Admn. G-II, dated Allahabad 16.8.2017 and same is quoted below:-

> *"From,*
> *Mohd.Faiz Alam Khan, HJS,*
> *Registrar General,*
> *High Court of Judicature at Allahabad*
> *To,*
> *All the District & Sessions Judges,Subordinate to the High Court of Judicature at Allahabad.*
> *C.L. No. 24/Admin. 'G-II' Dated: Allahabad 16.08.17*

Sub: Time bound disposal of interim injunction application.

Madam/Sir,
Hon'ble Court has directed that all the subordinate courts must ensure to dispose of applications of interim injunction within six months, failing which they shall have to record reasons in the order-sheet. I am, therefore, directed to request you to circulate the instant direction amongst all the judicial Officers working under your supervision and control and to ensure strict compliance of the same in letter and spirit.
Your faithfully,

(Mohd. Faiz Alam Khan)

No. 9770/Admin. 'G-II' Dated: Allahabad 16.08.2017"

6. In the facts and circumstances of the case, the present petition is disposed of directing the court concerned to decide the aforesaid injunction application strictly in accordance with the circular No.CL No.24/Admn. G-II, dated Allahabad dated 16.8.2017.

Order Date :- 7.11.2023
saqlain

Digitally signed by :-
SYED MOHAMMAD SAQLAIN HAIDER
High Court of Judicature at Allahabad