

Court No. - 4

Case :- MATTERS UNDER ARTICLE 227 No. - 10594 of 2023

Petitioner :- Munnawwar Ali And 8 Others

Respondent :- Smt. Archana Maurya And 4 Others

Counsel for Petitioner :- Bashisth Narain Pandey

Hon'ble Prakash Padia,J.

1. Heard learned counsel for the 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 petitioners in the present petition under Article 227 of the Constitution of India is to direct the court below to decide the Misc. Case No.22 of 2013 (Munawwar Ali and others Vs. Smt. Archana Maurya and others) filed in Original Suit No.165/2009 expeditiously.
4. It is argued by counsel for the petitioners that Misc. Case No.22/2013 under Order 39 Rule 2-A read with Section 151 C.P.C. filed in Original Suit No.165/2009 is pending consideration from about ten years and considerable time has already been lapsed but till date no final decision has been taken in the matter.
5. It is unfortunate that application filed under Order 39 Rule 2-A is pending since 2013.
6. In this view of the matter and also in the interest of justice, the present petition is disposed of directing the court concerned to decide the aforesaid case *strictly in accordance with law most*

expeditiously and positively within a period of two months from the next date fixed in the matter but without granting unnecessary adjournment unless there is no legal impediment.

7. Counsel for the petitioners is directed to submit certified copy of this order before the court concerned.

Order Date :- 21.11.2023

Pramod Tripathi