

Court No. - 4

Case :- MATTERS UNDER ARTICLE 227 No. - 10649 of 2023

Petitioner :- Narendra Kumar Jain

Respondent :- Pawan Kumar And Another

Counsel for Petitioner :- Amar Nath, Prem Narayan Tiwari

Hon'ble Prakash Padia, J.

1. The petitioner has preferred the present petition with the following prayer:-

(a) issue a suitable direction to set aside the impugned order dated 17.08.2023 passed by the learned District & Sessions Judge, Shamli in Revision No.21 of 2021 (Narendra Kumar Jain Vs. Pawan Kumar and another).

(b) issue a suitable direction to the learned Civil Judge (J.D.) Shamli to reconsider the application 34-Ga & 35 Ga dated 13.02.2019 forthwith within prescribed period as directed by this Hon'ble Court.

2. After some arguments, learned counsel for the petitioner confined his prayer to direct the Civil Judge (Junior Division) Shamli to decide Suit No.8 of 2018 (Pawan Kumar and others Vs. Narendra Jain).

3. It is argued that the matter is pending before the Court below since 2015 and considerable time has already been lapsed but till date no final decision has been taken in the matter.

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

5. The Hon'ble Supreme Court from time to time directions have been given to High Courts should not direct the any Court to decide the matter in a time bound period. Recently, the Hon'ble Supreme Court again in **Special Leave Petition (Civil) No(s). 38375 of 2023 (Mohd. Faiyaz Khan vs. State of U.P. and others)** vide its order dated **27.09.2023** reiterated the same view.

6. In view of the above, no relief could be granted to the petitioner.

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.

7. With the aforesaid observations, the petition is disposed of.

Order Date :- 30.11.2023

saqlain