

**Court No. - 4**

**Case :-** MATTERS UNDER ARTICLE 227 No. - 10731 of 2023

**Petitioner :-** Ramesh Chand Chand Sonkar

**Respondent :-** Mukhtar Ahamad And 8 Others

**Counsel for Petitioner :-** Rishikesh Pati Tripathi

**Hon'ble Prakash Padia,J.**

1. Heard learned counsel for the petitioner 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 only relief sought by the petitioner in the present petition under Article 227 of the Constitution of India is to direct the court below to decide injunction application being paper No.6C filed in the suit No.1093 of 2021 (Mukhtar Ahamad and others Vs. Ramesh Chand Sonkar) expeditiously.
4. It is argued by learned counsel for the petitioner that petitioner is the defendant in the aforesaid suit. It is argued that in the aforesaid suit filed by the plaintiff-respondent, an ex-parte injunction was granted in favour of the plaintiff-respondent by the Court below vide its order 11.06.2021. It is argued by learned counsel for the petitioner that the objection has been filed by the petitioner/defendant on 01.02.2022 and considerable time has already been lapsed but till date no final order has been passed and prays that the Court below be directed to decide the injunction application afresh after considering the objection of the petitioner expeditiously.
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 :- 8.12.2023**  
saqlain