

Court No. - 4

Case :- MATTERS UNDER ARTICLE 227 No. - 11016 of 2023

Petitioner :- Shri Ram (Deceased) And 6 Others

Respondent :- Shravan (Deceased) And Another

Counsel for Petitioner :- Mainuddin Ahamad

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 Suit No.67 of 2018 (Shravan Vs. Shri Ram) and also decide the substitution application of the petitioners dated 16.01.2023 expeditiously.
4. It reveals from perusal of the record that till date issues has not been framed in the matter since the father of the petitioner died.
5. In the facts and circumstances of the case, the present petition is disposed of directing the court concerned to decide the substitution application strictly in accordance with law most expeditiously and preferably within a period of three months from today. The court below is further directed to decide the aforesaid suit strictly in accordance with law without granting unnecessary adjournment unless there is no legal impediment.

Order Date :- 17.11.2023

Pramod Tripathi