

Court No. - 4

Case :- MATTERS UNDER ARTICLE 227 No. - 10870 of 2023

Petitioner :- Shiv Ram

Respondent :- Smt.Pinki And 2 Others

Counsel for Petitioner :- Archit Mandhyan

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 basic 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 restoration application dated 14.09.2023 filed under Section 9 Rule 9 C.P.C. filed in the Misc. Case No. 26/70 of 2016 expeditiously.
4. The matter is pending before the Court below since 2016 and considerable time has already been lapsed but till date no final decision has been taken in the matter.
5. In the facts and circumstances of the case, the present petition is disposed of directing the court concerned to decide the aforesaid restoration application, if possible, on the next date fixed in the matter. If on account of any reason, the same could not be decided, the aforesaid application be decided within a period of two weeks thereafter and without granting any unnecessary adjournment to any of the parties.

Order Date :- 4.12.2023/saqlain