

Court No. - 44

Case :- MATTERS UNDER ARTICLE 227 No. - 10892 of 2023

Petitioner :- Smt. Ramrati

Respondent :- Kanti Devi

Counsel for Petitioner :- Saurabh Singh, Vishal Kumar Yadav

Hon'ble Ashutosh Srivastava, J.

Heard Shri Saurabh Singh, learned counsel for the petitioner.

Considering the nature of the order proposed to be passed notice upon the private respondents is hereby dispensed with.

Present petition, under Article 227 of the Constitution of India, has been filed seeking direction to the Civil Judge (Jr. Div.), Beesalpur, Pilibhit to consider and decide the application (6-C) filed in Original Suit No. 102 of 2023 (Smt. Ramrati versus Kanti Devi) within the time frame fixed by this Court.

Learned counsel for the petitioner submits that defendants in the suit have put in appearance and filed their objection on the interim injunction application (6-C), but the same has not been decided till date. Learned counsel for the petitioner submits that purpose of filing the present petition would stand served if appropriate directions are issued to the Court below to consider and pass appropriate orders on the pending interim injunction application (6-C) within a time frame fixed by this Court.

This Court has perused the order sheet of the proceedings, annexed along with the petition.

A perusal of the order sheet reveals that the Court below after perusal of report of Munsrim registered the case and issued notices to the defendant and declined to grant *ex parte* interim injunction vide order dated 30.5.2023. Thereafter, several dates have been fixed, but the 6-C application remains pending till date.

In view of the above, this Court is of the opinion that the petition under Article 227 can be disposed of by requiring the Civil Judge (Jr. Div.), Beesalpur, Pilibhit seized with the 6-C application, filed in Original Suit No. 102 of 2023 (Smt. Ramrati versus Kanti Devi), to consider and pass appropriate orders on the same, expeditiously, preferably, ***on the next date fixed or within a period of two month from the next date fixed.***

With the aforesaid observations the writ petition is ***disposed of.***

Order Date :- 13.12.2023

Ravi Prakash