

Court No. - 4

Case :- MATTERS UNDER ARTICLE 227 No. - 11446 of 2023

Petitioner :- Anil Kumar

Respondent :- Smt.Rakesh

Counsel for Petitioner :- R.K. Mishra

Hon'ble Prakash Padia,J.

1. The petitioner has preferred present petition inter-alia with the prayer to direct the Additional Civil Judge (Sr. Division), Court No.1, Kanpur Nagar to decide the Rent Case No.14 of 2019 (Anil Kumar Vs. Smt. Rakesh), under Section 21 (1) (a) U.P. Act No.13 of 1972 within two months or within specific period.
2. It is argued by counsel for the petitioner that under Sub Rule (3) of Rule 15 of the U.P. Urban Buildings (Regulation of Letting, Rent and Eviction) Rules, 1972 there is a provision that every application referred to in sub Rule (1) shall, as far as possible, be decided within two months from the date of its presentation.
3. It is further argued that though the statutory provisions are there to decide such kind of applications within a period of two months, however, more than three years have already lapsed but till date no decision has been taken in the matter.
4. Nothing has been stated in the entire petition that aforesaid provisions were placed by the counsel for the petitioner before the court below or not.
5. In this view of the matter, present petition is disposed of finally directing the petitioner to move a proper application in this regard annexing aforesaid provisions before the court below. Needless to say that the court below will take a decision most expeditiously in the matter as per provisions of law as stated above.

Order Date :- 8.11.2023

Pramod Tripathi