

Court No. - 5

Case :- MATTERS UNDER ARTICLE 227 No. - 11418 of 2023

Petitioner :- Anupam Gupta

Respondent :- Chandan Luthra

Counsel for Petitioner :- Hanuman Deen Verma

Hon'ble Piyush Agrawal,J.

Heard learned counsel for the petitioner.

By means of present petition, the petitioner has assailed the order dated 31.5.2023 by which ex-parte order was recalled.

After hearing the learned counsel for the petitioner for sometime, the court do not find any cogent ground in the present petition then counsel for the petitioner prays for a direction to the Civil Judge (Senior Division), Gautam Buddh Nagar to decide Original Suit No. 673 of 2017 within stipulated period of time.

No notice be issued to the private respondents taking into consideration the nature of the order proposed to be passed.

It is argued by the learned counsel for the petitioner that since the suit is pending consideration, the petitioner is suffering irreparable loss.

Considering the facts and circumstances of the case, without expressing any opinion on the merits of the issue, the present petition stands disposed of finally with a direction to the concerned court below to consider and decide the aforesaid suit in accordance with law expeditiously but certainly after giving opportunity to the parties concerned and without granting unnecessary adjournments to either of the parties, if there is no legal impediment.

Order Date :- 8.11.2023

Pravesh Mishra