

Court No. - 5

Case :- MATTERS UNDER ARTICLE 227 No. - 11491 of 2023

Petitioner :- Baijnath And Another

Respondent :- Lalman And Another

Counsel for Petitioner :- Dinesh Kumar Yadav, Gaurav Bhartiya

Hon'ble Piyush Agrawal, J.

Heard learned counsel for the petitioners.

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

The petitioners before this Court is seeking a direction to the Civil Judge (Junior Division), Pharenda, Maharajganj to decide the application under Order 39 Rule 1 and 2 CPC in Original Suit No. 902 of 2022 within stipulated period of time.

It is argued by the learned counsel for the petitioners that since the application is pending consideration, the petitioners are 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 application 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