

**Court No. - 44**

**Case :- MATTERS UNDER ARTICLE 227 No. - 12332 of 2023**

**Petitioner :- Omkar Singh Panwar**

**Respondent :- Sundar Pal And 6 Others**

**Counsel for Petitioner :- Nasir Hussain, Akhilesh Kumar Pandey**

**Counsel for Respondent :- C.S.C.**

**Hon'ble Ashutosh Srivastava, J.**

1. Heard Shri Nasir Hussain, learned counsel for the petitioner.
2. Considering the nature of the order that is proposed to be passed notice upon the private respondents is hereby dispensed with.
3. Present petition, under Article 227 of the Constitution of India, has been filed seeking direction to the Civil Judge (Senior Division), Meerut to decide the Original Suit No. 376 of 2019 (Omkar Singh vs. Sundar Pal and others), within the time stipulated by this Court.
4. Although a prayer for expeditious disposal of the proceedings of the original Suit No. 376 of 2019 has been prayed for, learned counsel for the petitioner during the course of the arguments has confined his relief for a direction to the Court concerned for expeditious disposal of Misc. Case No. 733 of 2019 filed in the aforesaid suit.
5. Learned counsel for the petitioner submits that a Misc. Case, bearing No. 733 of 2019, under Order 39 Rule 2A CPC, has been filed in Original Suit No. 376 of 2019. Learned counsel for the petitioner has invited the attention of this Court to various orders passed in the proceedings, which has been brought on record as Annexure 2 to the writ petition, to demonstrate that despite various opportunities having been granted the opposite parties have not put in appearance in the proceedings which have been registered under Order 39 Rule 2A CPC against the respondents for violating the interim injunction order, passed in favour of the petitioner. He submits that the said proceedings are pending since the year 2019 and have not been brought to its logical end till date.

6. Heard learned counsel for the petitioner and perused the record. From the order sheet of the Misc. Case No. 376 of 2019 it is borne out that the proceedings have been initiated for violation of the interim order granted by the Court below and despite notices having been issued to the opposite parties they have not put in appearance.

7. Considering the totality of the circumstances, this Court is of the opinion that proceedings of the Misc. Case No. 376 of 2019 may be ordered to be expedited. Accordingly, the petition is disposed of by requiring the Civil Judge (Senior Division) Meerut, seized with the Misc. Case No. 733 of 2019, filed in Original Suit No. 376 of 2019, to conclude and decide the same within three months, from the date of service of certified copy of the order of this Court, strictly in accordance with law.

8. With the aforesaid observations the petition is ***disposed off***.

**Order Date :- 4.12.2023**

Deepak/