Court No. - 44
Case :- MATTERS UNDER ARTICLE 227 No. - 11661 of 2023
Petitioner :- Shiva Ashray
Respondent :- Shivram (Deceased) And 16 Others
Counsel for Petitioner :- Daya Shankar,Abhinav Prasad

Hon'ble Ashutosh Srivastava,J.

1. Heard Shri Daya Shankar, learned counsel for the petitioner.

2. Considering the nature of the order 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 (Junior Division)/ Fast Track Court, Azamgarh, to decide the Original Suit No. 1149 of 1990 (Tilakdhari and others vs. Shivram and others), filed by the plaintiff/ petitioner seeking permanent injunction relating to suit property.

4. Learned counsel for the petitioners submits that the Original Suit, filed by the plaintiff/petitioner, bearing Original Suit No. 1149 of 1990 (Tilakdhari and others vs. Shivram and others), seeking permanent injunction, is pending consideration before the Civil Judge (Junior Division)/ Fast Track Court, Azamgarh, and the purpose of filing present writ petition shall stand served if the appropriate directions are issued to the Court concerned, to conclude and decide the Suit pending since the year 1990, within the time frame fixed by this Court.

5. Considering the fact that the aforesaid Suit for permanent injunction, is pending consideration, before the Civil Judge (Junior Division)/ Fast Track Court, Azamgarh, since 1990, this Court is also of the opinion that no useful purpose would be served by keeping the writ petition pending and the same is accordingly ***disposed of*** by requiring the Civil Judge (Junior Division)/ Fast Track Court, Azamgarh, seized with the Original Suit No. 1149 of 1990 (Tilakdhari and others vs. Shivram and others), to consider and decide the case expeditiously, preferably within a period of one year, from the date of production of certified copy of order of this Court, strictly in accordance with law.

Order Date :- 2.12.2023
Deepak/

Digitally signed by :-
DEEPAK KUMAR KUSHWAHA
High Court of Judicature at Allahabad