Court No. - 44

Case :- MATTERS UNDER ARTICLE 227 No. - 11796 of 2023

Petitioner :- Smt. Shanti Devi And 2 Others
Respondent :- Smt. Malti Devi
Counsel for Petitioner :- Abhiuday Mehrotra,Chinta Mani

Hon'ble Ashutosh Srivastava,J.

Heard Shri Abhiuday Mehrotra, learned counsel for the petitioners.

Considering the nature of the order proposed to be passed notice upon the private respondents is hereby dispensed with.

Present petition, under Article 227 of the Constitution of India, has been filed seeking direction to the Civil Judge (Junior Division), Basti to decide the Original Suit No. 145 of 2022, Smt. Shanti Devi and another vs. Smt. Malti Devi and another, as well as interim injunction application, paper no. 6-C, expeditiously, preferably within a time frame fixed by this Court.

Learned counsel for the petitioners during the course of arguments has confined the relief for expeditious disposal of the interim injunction application paper no. 6-C.

Learned counsel for the petitioner submits that interim injunction application (6-C), filed along with the aforesaid Suit, is pending consideration and the purpose of filing the present petition would stand served if appropriate directions are issued to the Court below to consider and pass appropriate orders on the pending interim injunction application (6-C) within a time frame fixed by this Court.

This Court has perused the order sheet of the proceedings, annexed along with the petition.

A perusal of the order sheet reveals that the Court below after perusal of report of Munsrim registered the case and issued notices to the respondent. Thereafter, several dates have been fixed, but the 6-C application remains pending till date.

In view of the above, this Court is of the opinion that the petition under Article 227 can be disposed of by requiring the Civil Judge

(Junior Division), Basti seized with the 6-C application, filed in Original Suit No. 145 of 2022, Smt. Shanti Devi and another vs. Smt. Malti Devi and another, to consider and pass appropriate orders on the same, expeditiously, preferably, on the next date fixed or within a period of two month from the next date fixed.

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

Order Date :- 22.11.2023
Pks/Deepak

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