

Court No. - 44

Case :- MATTERS UNDER ARTICLE 227 No. - 12058 of 2023

Petitioner :- Raja Ram And 2 Others

Respondent :- State of U.P. and Another

Counsel for Petitioner :- M. A. Siddiqui, Kalamuddin

Counsel for Respondent :- C.S.C., Azad Rai

Hon'ble Ashutosh Srivastava, J.

Heard Shri M.A. Siddiqui, learned counsel for the petitioners, learned Standing Counsel for the State and Shri Azad Rai, learned counsel for the respondent no. 2.

This petition, under Article 227 of the Constitution of India, has been filed by the petitioners for a direction to the Civil Judge, (Senior Division), Court No. 13, Allahabad, to decide the temporary injunction application under Order XXXIX Rule 1 of Code of Civil Procedure, filed along with Original Suit No. 241 of 2018 (Raja Ram and others vs. State of U.P. and another), pending before him since 24.05.2018, within a time frame fixed by this Court.

Learned counsel for the petitioners submits that the petitioners are plaintiffs in a suit for prohibitory injunction being Suit No. 241 of 2018 (Raja Ram and others vs. State of U.P. and others), which has been instituted on 24.05.2018. He further submits that along with the aforesaid suit an application for temporary injunction registered as paper No. 6-C has been filed. However, despite passage of considerable time the interim injunction application, paper No. 6-C, has not been disposed of. He thus submits that the purpose of filing the present petition would stand served if directions are issued to the Civil Judge, (Senior Division), Court No. 13, Allahabad, seized with the temporary injunction application (Paper No. 6-C) to consider and pass appropriate orders thereon within the time frame fixed by this Court. He further submits that 03.01.2024 is the next date fixed in the matter.

Having heard learned counsel for the petitioner and having perused the record the Court deems it appropriate to dispose of the petition by requiring the Civil Judge, (Senior Division), Court No. 13, Allahabad, seized with the temporary injunction application (6-C) to consider and pass appropriate orders thereon on the next date fixed or within one month from 03.01.2024, strictly in accordance with law.

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

Order Date :- 28.11.2023

Deepak/