

Court No. - 44

Case :- MATTERS UNDER ARTICLE 227 No. - 11874 of 2023

Petitioner :- Bhola

Respondent :- Saiyyed Ajijul Haq And 2 Others

Counsel for Petitioner :- Deo Dayal

Hon'ble Ashutosh Srivastava,J.

1. Heard Shri Deo Dayal, 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 (Senior Division) Chandauli, to decide the Original Suit No. 157 of 2015, filed by the plaintiffs/ respondents, herein, against the defendant/ petitioner seeking permanent injunction relating to suit property. Vide order dated 29.05.2015 the Court concerned, granted temporary injunction and restrained the defendant/ petitioner not to acquire suit land forcibly till the next date and issued notice to them.
4. Learned counsel for the petitioner submits that the Original Suit, filed by the defendants/ respondents, bearing Original Suit No. 157 of 2015, seeking permanent injunction, is pending consideration before the Civil Judge (Senior Division) Chandauli, and the purpose of filing present writ petition shall stands served if the appropriate directions are issued to the Civil Judge (Senior Division) Chandauli, to conclude and decide the Original Suit pending since the year 2015, within the time frame fixed by this Court.
5. Considering the fact that the aforesaid Original Suit for permanent injunction, is pending consideration, before the Civil Judge (Senior Division) Chandauli, is pending since 2015, 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 (Senior Division) Chandauli, seized with the Original Suit No. 157 of 2015, to consider and decide the case expeditiously, preferably within a period of 18 months, from the date of production of certified copy of order of this Court, strictly in accordance with law.

Order Date :- 23.11.2023

Deepak/