

Court No. - 10

Case :- MATTERS UNDER ARTICLE 227 No. - 11778 of 2023

Petitioner :- Mohammad Noman Ahamad Khan

Respondent :- Satyabhan Singh And 7 Others

Counsel for Petitioner :- Arpit Agarwal, Akash Gupta

Hon'ble Kshitij Shailendra, J.

1. Heard Sri Akash Gupta, learned counsel for the petitioner.
2. The petitioner is defendant in the original suit filed in the year 2010 and has filed this petition for expeditious disposal of the said suit.
3. The order-sheet reveals that opportunity of plaintiff to adduce evidence was closed in July, 2018 and since thereafter the matter was posted for recording defendant's evidence, but, later on, on account of death of certain parties, the matter proceeded for substitution and now the order-sheet speaks that case is being posted for final hearing.
4. Learned counsel for the petitioner submits that till today, evidence has not been recorded.
5. This petition is **disposed of** in following terms:
 - (a) **In case**, the evidence has yet not been recorded or closed, the trial court is directed to post the matter for recording defendant evidence.
 - (b) If the matter is posted for the aforesaid purpose, the petitioner shall produce his evidence.
 - (c) The evidence shall be recorded **within three months** from the date when the trial court fixes a date for the said purpose.
 - (d) After the evidence is closed, the trial court shall decide the suit **within six months**, provided a certified copy of this order is filed before the trial court **on or before 10.12.2023**, after serving its photo-copy on learned counsel for the plaintiffs before trial court.

Order Date :- 22.11.2023

CS/-