

Court No. - 44

Case :- MATTERS UNDER ARTICLE 227 No. - 12203 of 2023

Petitioner :- Smt. Beena Devi

Respondent :- Gajraj (Now Deceased) And 24 Others

Counsel for Petitioner :- V.K. Baranwal, Ishita Gupta

Hon'ble Ashutosh Srivastava, J.

1. Heard Shri V.K. Baranwal, 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 Additional Civil Judge (Junior Division), New Court-3, Jaunpur, to decide the Original Suit No. 1034 of 1996 (Gajraj vs. Smt. Beena Devi & others), filed by the plaintiff/respondent seeking permanent injunction relating to suit property.
4. Learned counsel for the petitioners submits that the Original Suit, filed by the plaintiff/respondent, bearing Original Suit No. 1034 of 1996 (Gajraj vs. Smt. Beena Devi & others), seeking permanent injunction, is pending consideration before the Additional Civil Judge (Junior Division), New Court-3, Jaunpur, and the purpose of filing present writ petition shall stand served if the appropriate directions are issued to the Additional Civil Judge (Junior Division), New Court-3, Jaunpur, to conclude and decide the Suit pending since the year 1996, within the time frame fixed by this Court.
5. Considering the fact that the aforesaid Suit for permanent injunction, is pending consideration, before the Additional Civil Judge (Junior Division), New Court-3, Jaunpur, is pending since 1999, this Court is also of the opinion that no useful purpose would be served by keeping the petition pending and the same is accordingly **disposed of** by requiring the Additional Civil Judge (Junior Division), New Court-3, Jaunpur, seized with the Original Suit No. 1034 of 1996 (Gajraj vs. Smt. Beena Devi & others), to consider and decide the case expeditiously, preferably within a period of eight months, from the date of production of certified copy of order of this Court, strictly in accordance with law.

Order Date :- 1.12.2023

Deepak/