Court No. - 4

Case :- MATTERS UNDER ARTICLE 227 No. - 12278 of 2023

Petitioner :- Firtu Yadav
Respondent :- Harilal And 5 Others
Counsel for Petitioner :- Vineet Kumar Yadav,Prabhat Kumar Singh

Hon'ble Prakash Padia,J.

1. Heard learned counsel for the petitioner.

2. In view of the order proposed to be passed, notices need not be sent to the respondent.

3. This petition has been filed under Article 227 of the constitution of India praying for direction to the Court below to decide the interim injunction application dated 2.9.2020 (paper no. 6C) in Original Suit No.849 of 2020, within a fixed time frame.

4. It is argued that the injunction application is still pending and the injunction is urgently required.

5. This Court has already directed all the subordinate courts to ensure disposal of interim injunction applications within six months failing which, they shall have to record reasons. The said direction was issued by the letter dated 16.8.2017 bearing No.CL No.24/Admn. G-II, dated Allahabad 16.8.2017 and same is quoted below:-

> "From,
> *Mohd.Faiz Alam Khan, HJS,*
> *Registrar General,*
> *High Court of Judicature at Allahabad*
>
> *To,*
> *All the District & Sessions Judges,Subordinate to the High Court of Judicature at Allahabad.*
>
> *C.L. No. 24/Admin. 'G-II' Dated: Allahabad 16.08.17*
>
> *Sub: Time bound disposal of interim injunction application.*
>
> *Madam/Sir,*
>
> *Hon'ble Court has directed that all the subordinate courts must ensure to dispose of applications of interim injunction within six months, failing which they shall have to record reasons in the order-sheet. I am, therefore, directed to request you to circulate the instant direction amongst all the judicial Officers working under your supervision*

and control and to ensure strict compliance of the same in letter and spirit.

Your faithfully,

(Mohd. Faiz Alam Khan)

No. 9770/Admin. 'G-II' Dated: Allahabad 16.08.2017"

6. In view of the aforesaid circular and the fact that the interim injunction application is pending till date, the Court below before whom the aforesaid application is pending is directed to pass appropriate orders on the same in the light of the aforesaid circular.

7. With the aforesaid observation, the petition is disposed of.

Order Date :- 2.12.2023
S.K.

Digitally signed by :-
SWEETY KANOJIA
High Court of Judicature at Allahabad