

**Court No. - 44**

**Case :-** MATTERS UNDER ARTICLE 227 No. - 11956 of 2023

**Petitioner :-** Suresh Chandra

**Respondent :-** Prem Singh And 2 Others

**Counsel for Petitioner :-** Ram Govind

**Hon'ble Ashutosh Srivastava,J.**

1. Heard Shri Ram Govind, 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), Jalesar, Etah, to expedite the proceedings in Original Suit No. 31 of 2018 (Prem Singh Vs. Ram Swaroop and others). However, during the course of arguments, learned Counsel has confined his prayer for expeditious disposal of application (paper no.6-C) which is stated to be pending since 12.12.2018.
4. Learned Counsel for the petitioner has invited the attention of this Court to various orders passed by Civil Judge (Senior Division), Jalesar, Etah, which have been brought on record by filing the order-sheet of the proceedings as Annexure-8 to the petition, to demonstrate the fact that application (paper no.6-C) is pending consideration since the institution of the Suit filed on 12.12.2018.
5. From the perusal of the order, it is borne out that various dates for disposal of application (paper no.6-C) has been fixed but no final order has yet been passed.
6. Learned Counsel for the petitioner, who is defendant in the Suit, submits that the plaintiff, even though no order has been passed on the application (paper no.6-C), taking advantage of the pendency of the said application, filed appearance as rights of the defendant. It is, in such circumstances, that expeditious disposal of application (paper no.6-C) has been sought.
7. Having heard learned Counsel for the petitioners and having perused the record, this petition is disposed off finally by requiring

the Civil Judge (Senior Division), Jalesar, Etah, seized with the interim injunction application (paper no.6-C) to take up the said application and pass appropriate orders within a period of 2 months, from the date of production of certified copy of order of this Court without granting any unnecessary adjournment, strictly in accordance with law.

**Order Date :-** 2.12.2023

Irshad