

Court No. - 44

Case :- MATTERS UNDER ARTICLE 227 No. - 12528 of 2023

Petitioner :- Raj Kumar

Respondent :- Akeel Ahmad And 4 Others

Counsel for Petitioner :- Abhishek Kumar Saroj, Nyaymurti
Pankaj

Counsel for Respondent :- A.S.G.I., Arvind Kumar Goswami

Hon'ble Ashutosh Srivastava, J.

1. Heard Sri Abhishek Kumar Saroj, learned counsel for the petitioner and Sri Arvind Kumar Goswami, learned counsel appearing for respondent nos. 2 to 5.

2. Considering the nature of the order that is 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) II, Jaunpur to decide the Civil Suit No. 334 of 1991 (Rajkumar vs. Akil Ahmad & others), within the time stipulated by this Court.

4. Learned counsel for the petitioner submits that the Suit is pending consideration since the year 1991 and the purpose of filing present petition shall stand served if the appropriate directions are issued to the Additional Civil Judge (Junior Division) II, Jaunpur to conclude and decide the Civil Suit pending since 1991, within the time frame fixed by this Court.

5. Considering the fact that the aforesaid Civil Suit is pending consideration before the Additional Civil Judge (Junior Division) II, Jaunpur since 1991, 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 off by requiring the Civil Judge (Junior Division) II, Jaunpur, seized with the Civil Suit No. 334 of 1991 (Rajkumar vs. Akil Ahmad & others), to consider and decide the case expeditiously, preferably within a period of one year, from the date of production of a certified copy of

the order of this Court, strictly in accordance with law, without granting unnecessary adjournments to either of the parties, following the directions passed by Hon'ble Supreme Court in Civil Appeal No. 4296 of 2023 (Yashpal Jain versus Sushila Devi & others) decided on 20.10.2023, contained in Paragraph 2 of the operative part of the order.

Order Date :- 7.12.2023

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