

Court No. - 4

Case :- MATTERS UNDER ARTICLE 227 No. - 12191 of 2023

Petitioner :- Smt. Vidyawati Devi

Respondent :- Smt. Sudha And 2 Others

Counsel for Petitioner :- Vinod Kumar Kushwaha, Ashish Kumar

Hon'ble Prakash Padia, J.

1. Heard learned counsel for the petitioner and perused the record.
2. It is argued by learned counsel for the petitioner that along with the Original Suit No.648 of 2019 (Smt. Vidyawati Devi Vs. Smt.Sudha and others), an application for grant of interim protection has also been filed. It is argued that on the aforesaid application, an order dated 06.07.2019 was passed by which notices were issued and insofar as the interim injunction is concerned, it is stated that it is not proper to grant ex-parte interim injunction, It is argued that considerable time has already been lapsed but till date no final decision has been taken in the matter and the defendants are trying to create third party right in the property.
3. This Court has already issued a circular/letter dated 16.8.2017 bearing No.CL No.24/Admn. G-II, dated Allahabad 16.8.2017 by which all the subordinate courts is directed to ensure disposal of interim injunction applications within six months failing which, they shall have to record reasons.
4. In the facts and circumstances of the case and in view of circular/letter issued by this Court, the present petition is disposed of directing the court concerned to decide the aforesaid injunction application, if possible, on the next date fixed in the matter. If on account of any reason, the same could not be decided, the aforesaid application be decided within a period of three weeks and without granting any unnecessary adjournment to any of the parties.

Order Date :- 7.12.2023

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