

Court No. - 44

Case :- MATTERS UNDER ARTICLE 227 No. - 11957 of 2023

Petitioner :- Sheikh Imtiyaz @ Bhondu

Respondent :- Mirza Nazmul Hasan Beg And 6 Others

Counsel for Petitioner :- Krishna Mani

Hon'ble Ashutosh Srivastava,J.

1. Heard Shri Krishna Mani, learned counsel for the petitioner.
2. Considering the nature of the order proposed to be passed notice upon the private respondents is being dispensed with.
3. Present petition, under Article 227 of the Constitution of India, has been filed seeking direction to the learned Civil Judge (Sr.Div.),Mirzapur to decide the Original Suit No. 360 of 2015 (Mirzanazmul versus Sheikh Imtiyaz @ Bhondu and others) .
4. Learned counsel for the petitioner submits that defendant/respondent have instituted a suit for permanent injunction before the Court below in the year 2015 and the same is at the stage of cross examination of respondent No. 1/plaintiff and the purpose of filing present writ petition shall stands served if the appropriate directions are issued to the learned Civil Judge (Sr.Div.), Mirzapur to conclude and decide the Original Suit pending since 2015, within the time frame fixed by this Court.
5. Considering the fact that the aforesaid Original Suit for permanent injunction, is pending consideration and the same is at the stage of recording evidence, before the learned Civil Judge (Sr.Div.),Mirzapur since 2015, 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 of** by requiring the learned Civil Judge (Sr.Div.),Mirzapur, seized with the Original Suit No. 360 of 2015 (Mirzanazmul versus Sheikh Imtiyaz @ Bhondu and others) to consider and decide the case expeditiously, preferably within a period of one year from the date of production of certified copy of order of this Court, strictly in accordance with law.

Order Date :- 28.11.2023

Ravi Prakash

(Ashutosh Srivastava, J.)