

Court No. - 44

Case :- MATTERS UNDER ARTICLE 227 No. - 12169 of 2023

Petitioner :- Leele

Respondent :- Akhilesh Kumar Shukla And Another

Counsel for Petitioner :- Ashish Kumar Pandey

Hon'ble Ashutosh Srivastava,J.

1. Heard Shri Ashish Kumar Pandey, learned counsel for the petitioner.
2. Considering the nature of the order proposed to be passed notice upon the respondent nos.1 and 2 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), Court No.3, Ghaziabad, to consider and decide 6-C application filed in Original Suit No. 1162 of 2023 (Leele Vs. Akhilesh Kumar Shukla and others) within the stipulated time frame fixed by this Court.
4. Learned Counsel for the petitioner submits that defendant - respondent herein is bent upon to dispossess the petitioner from the settled possession over the Suit property and the purpose of filing the present petition would stand served if appropriate directions are issued to the Civil Judge (Senior Division), Court No.3, Ghaziabad, seized with 6-C application filed in Original Suit No. 1162 of 2023 to consider and decide the same expeditiously within a short time frame fixed by this Court.
5. Learned Counsel for the petitioner submits that over the Suit property, the petitioner has constructed one room along with the boundary wall and has been residing there since the year 2018. The respondents herein have asserted their rights over the said property and have threatened to demolish the structure raised by the petitioner.
6. Having heard learned Counsel for the petitioner and having perused the record, this Court is of the opinion that this petition can be disposed of by requiring the Civil Judge (Senior Division), Court No.3, Ghaziabad, to take up 6-C application filed in Original

Suit No. 1162 of 2023 and pass suitable order thereon expeditiously preferably on the next date fixed or within 3 weeks from the date of production of certified copy of order of this Court, strictly in accordance with law.

Order Date :- 30.11.2023

Irshad