

Court No. - 44

Case :- MATTERS UNDER ARTICLE 227 No. - 12170 of 2023

Petitioner :- Dinesh @ Dinesh Babu Ram Gupta

Respondent :- Sita Ram And 3 Others

Counsel for Petitioner :- Ganga Prasad Gupta

Hon'ble Ashutosh Srivastava,J.

1. Heard Shri Ganga Prasad Gupta, learned counsel for the petitioner.
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 Civil Judge (Junior Division), Shahganj, Jaunpur, to decide the Case No. 948 of 2010 (Dinesh Vs. Sitaram & others), within the time stipulated by this Court.
4. Learned counsel for the petitioner submits that the aforesaid case is pending consideration since the year 2010, and the purpose of filing present petition shall stands served if the appropriate directions are issued to the Civil Judge (Junior Division), Shahganj, Jaunpur, to conclude and decide the Original Suit pending since 2010, within the time frame fixed by this Court.
5. Considering the fact that the aforesaid Original Suit is pending consideration before the Civil Judge (Junior Division), Shahganj, Jaunpur, since 2010, 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), Shahganj, Jaunpur, seized with the Case No. 948 of 2010 (Dinesh Vs. Sitaram & others), to consider and decide the case expeditiously, preferably within a period of ***one year***, from the date of production of 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 :- 6.12.2023

Deepak/