

Court No. - 44

Case :- MATTERS UNDER ARTICLE 227 No. - 12207 of 2023

Petitioner :- Gaya Prasad Kesarwani And Another

Respondent :- Virendra Pratap Singh

Counsel for Petitioner :- Sushil Kumar Vishwakarma, Anuj Pratap Singh

Hon'ble Ashutosh Srivastava, J.

Heard Shri Sitaram Patel, Advocate, holding brief of Shri Anuj Pratap Singh, learned counsel for the petitioners.

Considering the nature of the order proposed to be passed notice upon the private respondent is hereby dispensed with.

Present petition, under Article 227 of the Constitution of India, has been filed seeking direction to the Civil Judge (Junior Division), Sharki, Allahabad, to decide the injunction application, paper no. 6-C, dated 10.12.2018, filed by the plaintiff/respondent in Civil Suit No. 3403 of 2018 (Virendra Pratap Singh vs. Gaya Prasad Kesarwani and another), within stipulated period fixed by this Court.

Learned counsel for the petitioner submits that interim injunction application (6-C), filed along with the aforesaid Suit, is pending consideration and the purpose of filing the present petition would stand served if appropriate directions are issued to the Court below to consider and pass appropriate orders on the pending injunction application, paper no. 6-C, dated 10.12.2018, filed by the plaintiff/ respondent in Civil Suit No. 3403 of 2018 (Virendra Pratap Singh vs. Gaya Prasad Kesarwani and another) within a time frame fixed by this Court.

This Court has perused the order sheet of the proceedings, annexed along with the petition.

In view of the above, this Court is of the opinion that the petition under Article 227 can be disposed of by requiring the Civil Judge (Junior Division), Sharki, Allahabad, seized with the injunction application, paper no. 6-C, dated 10.12.2018, filed by the plaintiff/ respondent in Civil Suit No. 3403 of 2018 (Virendra Pratap Singh vs. Gaya Prasad Kesarwani and another), to consider and pass appropriate orders on the same, expeditiously, preferably, on the next date fixed or within a period of **one month** from the next date fixed.

With the aforesaid observations the writ petition is ***disposed off***.

Order Date :- 14.12.2023

Deepak/