

Court No. - 4

Case :- MATTERS UNDER ARTICLE 227 No. - 12287 of 2023

Petitioner :- Abdul Kalam

Respondent :- Executive Engineer Nahar Prakhand And Another

Counsel for Petitioner :- Vinod Kumar Tiwari

Hon'ble Prakash Padia,J.

1. Heard learned counsel for the petitioner and perused the record.
2. The petitioner has preferred the present petition inter alia with the prayer to direct the court below to decide the Civil Appeal No.54 of 2023 (Executive Engineer Vs. Abdul Kalam and others) expeditiously.
3. It appears from the perusal of the order-sheet that though the appeal was initial filed in the year 2008 which was numbered as Civil Appeal No.116 of 2008 but thereafter the same was dismissed in default. A restoration application was filed and the aforesaid appeal was restored vide order dated 10.11.2023 and the new number has been allotted to the appeal as Civil Appeal No.54 of 2023. It further reveals that the appeal was admitted on 16.10.2023 and the petitioner was defendant in the said appeal.
4. In view of the order proposed to be passed herein, no useful purpose would be served by putting the opposite party to notice and keeping this petition pending before this Court. However, in case the opposite party feels aggrieved by the order his/her right to seek modification/variation of the order is being kept reserved.
5. In the facts and circumstances of the case, the present petition is disposed of directing the court concerned to decide the aforesaid appeal expeditiously strictly in accordance with law and without granting unnecessary adjournment unless there is no legal impediment.

Order Date :- 2.12.2023

S.K.