

Court No. - 44

Case :- MATTERS UNDER ARTICLE 227 No. - 12192 of 2023

Petitioner :- Smt. Ramvati And 5 Others

Respondent :- Liladhar @ Lilaram And 2 Others

Counsel for Petitioner :- Ram Krishna Dubey

Hon'ble Ashutosh Srivastava,J.

Heard Sri Ram Krishna Dubey, learned counsel for the petitioners.

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

This petition, under Article 227 of the Constitution of India, has been filed by the petitioners for a direction to the Additional Civil Judge, (Junior Division), Court No.5, Mathura, for expeditious disposal of Suit No.38 of 2022 (Smt. Ramvati and others vs. Liladhar and others) along with the application for interim injunction 6-C, within a time frame fixed by this Court.

Learned counsel for the petitioners has invited the attention of this Court to the proceedings of the said suit, which has been brought on record by way of filing the order-sheet as Annexure-2 to the petition to demonstrate the fact that 6-C application is pending consideration since 17.1.2022. He further submits that the defendants have appeared, however, written statement has only been filed on behalf of defendant no.1. The suit has been directed to proceed ex-parte against the defendant nos.2 and 3. He next submits that the defendants are taking advantage of the fact that no order has yet been passed on the interim injunction application moved on behalf of the petitioners and as such a direction be issued to the court concerned for expeditious disposal of the interim injunction application.

From the perusal of the order-sheet brought on record, I find that it is a fit case in which directions for expeditious disposal of the pending application may be ordered by this Court.

Accordingly, the petition is **disposed of** by requiring the Additional Civil Judge (Junior Division), Court No.5, Mathura, seized with the interim injunction application (6-C), to take up the same and pass appropriate orders thereon, expeditiously,

preferably, within a period of two months, from the date of production of certified copy of order of this Court, in accordance with law.

Order Date :- 1.12.2023

m.a.