

Court No. - 53

Case :- CRIMINAL MISC. WRIT PETITION No. - 18845 of 2023

Petitioner :- Ashwani Kumar Pandey

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Anil Kumar Srivastava

Counsel for Respondent :- G.A.

Hon'ble Syed Aftab Husain Rizvi,J.

Heard learned counsel for the parties.

This petition has been filed with a prayer to direct the respondent no.2 to decide the appeal no.1412 of 2023 under section 6 of U.P. Goondas Control Act arising out of case no.28 of 2023 (State of U.P. vs. Ashwani Kumar Pandey) U/s 3/4 of U.P. Goondas Act, P.S. Rajapur, District Chitrakoot and direct the respondent not to take coercive steps against the petitioner during the proceeding of appeal.

It is submitted by learned counsel for the petitioner that the appeal has been admitted vide order dated 18.10.2023 but his stay application is lying undisposed and no order has been passed on it.

Learned AGA submitted that the appellant may press his application for stay before the appellate court.

In view of the submissions made by learned counsel for the parties, this petition is ***disposed of*** with a direction to opposite party no.2 to pass an appropriate order on the stay application within a period of three weeks from the date a certified copy of this order is produced before him. He shall also to make every endeavour to decide the appeal expeditiously and preferable within two months.

For a period of three weeks or till the disposal of stay application, whichever is earlier, the operation of the extermen order passed by the Additional District Magistrate shall be kept in abeyance.

Order Date :- 5.12.2023

C. MANI