

Court No. - 44

Case :- MATTERS UNDER ARTICLE 227 No. - 12165 of 2023

Petitioner :- Siyaram

Respondent :- Mahmood Ahamad (Deceased) And 20 Others

Counsel for Petitioner :- Mani Shanker Pandey

Hon'ble Ashutosh Srivastava,J.

1. Heard Shri Mani Shanker Pandey, learned counsel for the petitioner.

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

3. Present petition, under Article 227 of the Constitution of India, has been filed seeking direction to the Civil Judge (Junior Division), Room No. 10, Allahabad to decide Original Suit No. 171 of 2007 (Mohmood Ahamad and others vs. Jagdish Prasad and others), within a time frame fixed by this Court.

4. Learned counsel for the petitioner submits that the Suit is pending considering since 2007 and the purpose of filing present writ petition shall stand served if the appropriate directions are issued to the Civil Judge (Junior Division), Room No. 10, Allahabad, to conclude and decide the Original Suit pending since 2007, 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), Room No. 10, Allahabad since 2007, 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 of*** by requiring the Civil Judge (Junior Division), Room No. 10, Allahabad, seized with the Original Suit No. 171 of 2007 (Mohmood Ahamad and others vs. Jagdish Prasad and others) to consider and decide the case expeditiously, preferably within a period of **one year**, from the date of production of certified copy of 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 :- 13.12.2023 /Bhanu