

Court No. - 44

Case :- MATTERS UNDER ARTICLE 227 No. - 12166 of 2023

Petitioner :- Manohar Lal Mishra

Respondent :- Smt. Chinta Devi And Another

Counsel for Petitioner :- Arun Kumar,Ashish Kumar Mishra

Hon'ble Ashutosh Srivastava,J.

1. Heard Shri Ashish Kumar Mishra, 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), Court No. 12, Deoria to decide the Original Suit No. 822 of 2019 (Manohar Lal Mishra vs. Smt. Chinta Devi and another), within a time frame fixed by this Court.
4. 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 interim injunction application (6-C) within a time frame fixed by this Court.
5. This Court has perused the order sheet of the proceedings, annexed along with the petition.
6. A perusal of the order sheet reveals that the Court below after perusal of report of Munsrim registered the case and issued notices to the respondent. Thereafter, several dates have been fixed, but the 6-C application remains pending till date.
7. 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), Court No. 12, Deoria seized with the 6-C application, filed in Suit No. 822 of 2019 (Manohar Lal Mishra vs. Smt. Chinta Devi 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
upon service of certified copy of the order of this Court, in
accordance with law.

8. With the aforesaid observations the writ petition is ***disposed of***.

Order Date :- 13.12.2023

Bhanu