

Court No. - 44

Case :- MATTERS UNDER ARTICLE 227 No. - 12400 of 2023

Petitioner :- Ramesh Kumar Pandey

Respondent :- Rajkumari And 2 Others

Counsel for Petitioner :- Rajesh Kumar Dubey

Hon'ble Ashutosh Srivastava,J.

1. Supplementary affidavit filed by the learned counsel for the petitioner is taken on record.
2. Heard Shri Rajesh Kumar Dubey, learned counsel for the petitioner.
3. Considering the nature of the order that is proposed to be passed, the service of notice upon respondent is being dispensed with.
4. The present petition under Article 227 of the Constitution of India has been filed for a direction to the Civil Judge (Jr.Div.), District Mau to decide the Suit No. 645 of 2014 (Ramesh Kumar Pandey versus Raj Kumari and others) within the time frame fixed by this Court.
5. Learned counsel for the petitioner submits that the plaintiff/petitioner has filed the suit in the year 2014. Thereafter, defendant has put in appearance and till date has not chosen to file written statement. Learned counsel for the petitioner submits that case is lingering on since 20.10.2018 for exparte arguments. Learned counsel for the petitioner submits that purpose of filing present petition shall stands served if the appropriate directions are issued to the court concerned to conclude and decide the Original Suit pending since 2014, within the time frame fixed by this Court.
6. Considering the fact that the aforesaid Original Suit, is pending consideration, this Court is also of the opinion that no useful purpose would be served by keeping the petition pending and the same is accordingly ***disposed of*** by requiring the Civil Judge (Jr.Div.), District Mau, seized with the Suit No. 645 of 2014 (Ramesh Kumar Pandey versus Raj Kumari and others) to consider and decide the case expeditiously, preferably within a period of **Ten months**, 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 :- 12.12.2023

Ravi Prakash

(Ashutosh Srivastava, J.)