

Court No. - 4

Case :- MATTERS UNDER ARTICLE 227 No. - 12608 of 2023

Petitioner :- Purnima Jaisal

Respondent :- Kanhaiyalal And 2 Others

Counsel for Petitioner :- Shaym Dhar Yadav,Dhirendra Kumar Srivastava

Hon'ble Prakash Padia,J.

1. Heard learned counsel for the petitioner and perused the record.
2. In view of the order proposed to be passed herein, no useful purpose would be served by putting the respondents to notice and keeping this petition pending before this Court. However, in case the respondents feels aggrieved by the order his/her right to seek modification/variation of the order is being kept reserved.
3. The basic relief sought by the petitioner in the present petition under Article 227 of the Constitution of India is to direct the court below to decide Original Suit No.1147 of 2022 (Purnima Jaisal Vs. Kanhaiya Lal and others) expeditiously.
4. It is argued by counsel for the petitioner that the aforesaid suit was filed to declare the civil death of the husband of petitioner namely Santosh Kumar, who is not traceable for last more than seven years
5. Since the suit was filed in the year 2022 normally in such kind of case orders could not be passed for expeditious disposal.
6. However, in the facts and circumstances of the case present case, the present petition is disposed of directing the court concerned to decide the aforesaid suit expeditiously strictly in accordance with law and without granting unnecessary adjournment unless there is no legal impediment.

Order Date :- 8.12.2023

Pramod Tripathi