

Court No. - 44

Case :- MATTERS UNDER ARTICLE 227 No. - 12547 of 2023

Petitioner :- Shailendra Kumar Singh

Respondent :- Arundhati And 4 Others

Counsel for Petitioner :- Pratibha Singh,Ashok Kumar Singh

Hon'ble Ashutosh Srivastava,J.

1. Heard learned counsel for the petitioner.
2. Considering the nature of the order that is proposed to be passed, notice upon respondent -opposite parties is being dispensed with.
3. The present petition under Article 227 of the Constitution of India has been filed for a direction to the Civil Judge (J.D.) City, Jaunpur to decide the Original Suit No. 772 of 2022, Shailendra Kumar Singh vs. Arundhati and others, within a time frame fixed by the Court.
4. Learned counsel for the defendant -petitioner during the course of argument has confined the relief for a direction to the court concerned to frame the issues in the suit so as to facilitate its progress.
5. In order to buttress his submission, learned counsel for the plaintiff- petitioner has invited the attention of this Court to the order-sheet of the proceedings brought on record as Annexure no. 2 to the petition, specifically the order dated 10.11.2022, to show that the Court below finds that service upon the respondents has been held to be sufficient by way of publication and the case is being fixed for written statements/ framing of issues. The defendants/respondents have not put in appearance in the said suit, till date.
6. Having heard learned counsel for the petitioner and having perused the record, particularly to the various orders passed by the Court below, this Court finds that the proceedings of the suit are unnecessarily been lingered on and till date issues have not been framed.
7. In these circumstances, the Court is of the opinion that the

petition can be disposed off by issuing appropriate directions to the court concerned.

8. Accordingly the petition is ***disposed of*** by requiring the Civil Judge (J.D.) City, Jaunpur, seized with the proceedings of the Original Suit No. 772 of 2022, Shailendra Kumar Singh vs. Arundhati and others, to frame the issues expeditiously preferably on the **next date fixed or within next three months** from the date of service of certified copy of order of this Court to facilitate the progress of the suit.

Order Date :- 15.12.2023

Manoj