

Court No. - 44

Case :- MATTERS UNDER ARTICLE 227 No. - 12655 of 2023

Petitioner :- Hari Krishna Gupta @ Harikishuna

Respondent :- Bal Krishna And 5 Others

Counsel for Petitioner :- Vikas Narayan Rai,Ram Bahadur Singh,Ravi Shankar Shukla

Hon'ble Ashutosh Srivastava,J.

1. Heard Shri Ravi Shankar Shukla, learned counsel for the petitioner.
2. Considering the nature of the order proposed to be passed notice upon the private respondents is hereby dispensed with.
3. Present petition, under Article 227 of the Constitution of India, has been filed seeking direction to the Civil Judge (Junior Division) II, Ballia to decide the Original Suit No. 71 of 2003 (Hari Krishna Gupta @ Harikishuna vs. Bal Krishna and others), within a time frame fixed by the Court.
4. Learned counsel for the petitioner submits that the Suit is pending considering since 2003 and the purpose of filing present writ petition shall stands served if the appropriate directions are issued to the Civil Judge (Junior Division) II, Ballia, to conclude and decide the Original Suit pending since 2003, 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) II, Ballia since 2003 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) II, Ballia, seized with the Original Suit No. 71 of 2003 (Hari Krishna Gupta @ Harikishuna vs. Bal Krishna 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 giving unnecessary adjournments to either of the parties and in view of

directions, contained in Paragraph 2 of the conclusion, passed by Hon'ble Supreme Court in ***Civil Appeal No. 4296 of 2023 (Yashpal Jain versus Sushila Devi & others)*** decided on 20.10.2023.

Order Date :- 11.12.2023

Bhanu