

Court No. - 44

Case :- MATTERS UNDER ARTICLE 227 No. - 12799 of 2023

Petitioner :- Rahul Singh And 3 Others

Respondent :- Smt. Pushpa Devi And Another

Counsel for Petitioner :- Rajneesh Tripathi

Hon'ble Ashutosh Srivastava,J.

1. Heard Shri Rajneesh Tripathi, 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 (Sr. Div.), FTC, Mainpuri to decide the Suit No. 224 of 2014 (Rahul Singh and others versus Smt. Pushpa and others) within the time frame fixed by this Court.
4. Learned counsel for the petitioner submits that the Suit is pending considering since 2014. Learned counsel for the petitioner submits that issues in the suit have already been framed by the Court below on 1.7.2019 and vide order dated 21.4.2022, Court below has decided issue Nos. 3 and 7. Thereafter, case was being adjourned for cross examination of PW1. Learned counsel for the petitioner submits that purpose of filing present petition shall stands served if the appropriate directions are issued to the Court below to conclude and decide the Suit pending since 2014, within the time frame fixed by this Court.
5. Considering the fact that the aforesaid Suit is pending consideration since 2014, 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 (Sr. Div.), FTC, Mainpuri, seized with the Suit No. 224 of 2014 (Rahul Singh and others versus Smt. Pushpa 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 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 :- 14.12.2023
Ravi Prakash

(Ashutosh Srivastava, J.)