

Court No. - 44

Case :- MATTERS UNDER ARTICLE 227 No. - 12795 of 2023

Petitioner :- Late Roopvanti Devi And 5 Others

Respondent :- Deenanath Pandey

Counsel for Petitioner :- Vishnu Pandey

Hon'ble Ashutosh Srivastava,J.

1. Heard Shri Vishnu Pandey, learned counsel for the petitioners.
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 (Jr.Div.), Mau to consider and decide the Original Suit No. 907 of 1993 (Deenanath versus Roopvanti and others) within the time frame fixed by this Court.
4. Learned counsel for the petitioners submits petitioners are the defendants in the suit filed before the Court below. Learned counsel for the petitioners submits that plaintiff is not interested to decide the suit pending from the last 30 years. Learned counsel for the petitioners submits that petitioners are senior citizen. Learned counsel for the petitioners 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 1993, within the time frame fixed by this Court.
5. Considering the fact that the aforesaid Original Suit is pending consideration since 1993 and petitioners are senior citizen, 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.), Mau, seized with the Original Suit No. 907 of 1993 (Deenanath versus Roopvanti and others) to consider and decide the case expeditiously, preferably within a period of **six 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 :- 14.12.2023
Ravi Prakash

(Ashutosh Srivastava, J.)