Court No. - 8

Case :- WRIT - C No. - 1004948 of 2013

Petitioner :- Ram Lakhan
Respondent :- Asharfi Lal And Another
Counsel for Petitioner :- Sushil Kumar Rastogi

Hon'ble Pankaj Bhatia,J.

1. An illness slip has bee sent by Sri Sushil Kumar Rastogi, learned Counsel for the petitioner, however, the matter is very old one, I do not propose to adjourn the matter.

2. The proceedings under challenge arise out of an order whereby the injunction application was refused on the ground that the plaintiff could not establish *prima facie* case and the appeal preferred against the said order was also dismissed.

3. When the matter was entertained, this court had passed an order on 01.08.2013 restraining the parties from selling the land in question.

4. Considering the fact that the plaintiff could not establish a *prima facie* case, the court below has rightly rejected the injunction application. Accordingly, the writ petition is ***dismissed***.

5. The interim order granted by this Court is vacated with directions to the trial court to decide the suit No.77 of 1999 expeditiously, if no already decided.

6. The registry is directed to communicate this order to the court below hearing Suit No.77 of 1999.

Order Date :- 12.10.2023
akverma

Digitally signed by :-
ASHOK KUMAR VERMA
High Court of Judicature at Allahabad,
Lucknow Bench