

Court No. - 8

Case :- WRIT - C No. - 1000092 of 2009

Petitioner :- Ishwar Saran

Respondent :- Ist Additional District Judge Gonda

Counsel for Petitioner :- Q.M. Haque, Mohd. Mustafizul Haq

Counsel for Respondent :- C.S.C.

Hon'ble Pankaj Bhatia, J.

1. Heard learned counsel for petitioner and learned Standing Counsel for the State.
2. An application for substitution has been filed on account of death of respondent no. 4. However, on perusal of order impugned in the present writ petition, it transpires that the same has been filed against an order of remand whereby the revisional court had directed the civil court to hear the matter afresh and pass a decision on an interim application. The said order was passed on 20.11.2008.
3. Considering the fact that it was only a remand order, I do not deem it expedient to exercise by extra-ordinary jurisdiction under Article 226 of the Constitution of India at this stage. **The petition is dismissed.**
4. The revisional order shall be complied with if the matter is still pending.

Order Date :- 22.11.2023

Virendra