

Court No. - 6

Case :- MATTERS UNDER ARTICLE 227 No. - 4542 of 2023

Petitioner :- Smt. Kailash Pati Thru. Power Of Attorney Shri Om Prakash Tiwari

Respondent :- Civil Judge (S.D.), Faizabad And 5 Others

Counsel for Petitioner :- Kuldeep Kumar Srivastava, Arun Kumar Srivastava, Pankaj Verma

Hon'ble Rajnish Kumar, J.

Heard Shri Pankaj Verma, learned counsel for the petitioner.

This petition has been filed for a direction for disposal of application filed under Order-7, Rule-11 C.P.C. in Regular Suit No.82 of 2023, a copy of which has been annexed as annexure no.1 to the petition.

Learned counsel for the petitioner submits that the application was filed on 10.03.2023 but the same has not been considered till date.

Perusal of the typed copy of the order sheet annexed alongwith the supplementary affidavit indicates that the case was not listed on 10.03.2023 and it was listed on 10.04.2023. The order sheet does not indicate that ever the petitioner has pressed his application. Learned counsel for the petitioner also could not point out from the order sheet that his application is being considered. When the petitioner himself is not pressing his application, which has been filed when the date was not fixed, no direction can be issued by this Court. Even otherwise, if the application is not considered, it is always open to the petitioner to press his application before the concerned court, which may be considered by the concerned court in accordance with law.

With the aforesaid, this petition is **dismissed**.

(Rajnish Kumar, J.)

Order Date :- 13.10.2023

Haseen U.