

Court No. - 15

Case :- MATTERS UNDER ARTICLE 227 No. - 5070 of 2023

Petitioner :- Mohd. Mustafa

Respondent :- The Learned Court Of Sub Divisional Magistrate, Tehsil Raniganj, Pratapgarh And 4 Others

Counsel for Petitioner :- Purshottam Chaurasia, Prashant Kumar Chaurasia, Vinayak Tiwari

Counsel for Respondent :- G.A.

Hon'ble Shamim Ahmed, J.

Heard learned counsel for the petitioner as well as learned A.G.A. for the State and perused the record.

This petition under Article 227 of the Constitution of India has been filed with a prayer to issue an order or direction commanding the opposite party no.1 i.e. learned court of Sub-Divisional Magistrate, Tehsil Raniganj, Division Prayagraj, District Pratapgarh to decide the application dated 16.06.2023 (Mohd. Mustaga Vs. Mohd. Idris and others) under Section 133 Cr.P.C., pending in Case No.1957 of 2023 (Computerized Case No.T202302570501957) before the opposite party no.1 since 16.06.2023.

Learned counsel for the petitioner submits that a positive direction be given to the court below to decide the aforesaid case within a stipulated period.

Learned A.G.A. has no objection on the prayer made by the learned counsel for the petitioner and submits that a positive direction be given to the court below to decide the application of the petitioner, as merely keeping pending the same by the court below does not suffice any purpose of the litigation.

In view of the statements made by the learned counsel for the parties, the court below is directed to decide the aforesaid application pending in the above mentioned case expeditiously, preferably within a period of four months, without granting any unnecessary adjournment to either of the parties from the date of filing of the certified copy of this order, unless there is some legal impediment or unless there is any order passed by the higher court staying the proceedings of the case.

With the aforesaid observation, the petition is **disposed of** finally.

Order Date :- 10.10.2023

Saurabh