

Court No. - 17

Case :- MATTERS UNDER ARTICLE 227 No. - 5045 of 2023

Petitioner :- Swami Hansanand Teerth

Respondent :- Addl. Civil Judge(S.D.)/ A.C.J.M. Court No. 23, Barabanki And Another

Counsel for Petitioner :- Suyesh Pradhan

Hon'ble Alok Mathur,J.

Heard learned counsel for the petitioner.

Present writ petition has been filed under Article 227 of the Constitution of India praying that respondent No. 1 may be directed to decide the Small Cause Case bearing S.C.C. No. 11 of 2005 filed by the petitioner for eviction of the respondent under Recovery of Rent, Damages and Eviction Act.

It is submitted that the matter is pending since 2005 and has not been decided till date.

Learned counsel for the petitioner submits that grievance of the petitioner would be sufficiently met in case opposite party no.1 may be directed to consider and decide suit filed by the petitioner in a time bound manner.

In view thereof, opposite party no.1-Additional Civil Judge (Senior Division)/A.C.J.M, Court no.23, District Barabanki is required to decide Small Cause Case bearing S.C.C. No. 11 of 2005 filed by the petitioner for eviction of the respondent, after hearing all the parties concerned, as expeditiously as possible, without any further delay, say within a period of one year, if possible. He shall not grant any unnecessary adjournment including on the ground of strike of lawyers. In case the court concerned is unable to decide the said suit on the given date, it shall record reasons for not being able to decide the same.

Learned counsel for petitioner undertakes that petitioner shall cooperate in the said proceedings and will not take any unnecessary adjournments.

With the aforesaid direction, present writ petition is disposed of.

(Alok Mathur, J.)

Order Date :- 10.10.2023/Ravi/