

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5177 of 2023

Petitioner :- Balram @ Balram Singh

Respondent :- The Civil Judge (S.D.) Distt. Sitapur And 4 Others

Counsel for Petitioner :- Vivek Singh, Shiv Prakash Awasthi

Hon'ble Saurabh Lavania, J.

Heard.

In view of order proposed to be passed, issuance of notice to the private-respondent(s) is hereby dispensed with.

Present petition has been filed for the following main relief:-

"Wherefore, it is most respectfully prayed that this Hon'ble Court may kindly be pleased to direct the opposite party No.1/ Civil Judge (Senior Division), Sitapur to decide the application for temporary injunction (C-6) under Order 39 Rule 1 and 2 of Civil Procedure Code, pending in Civil Suit No. 53 of 2023 (Balram Singh versus Ram Sing & others) contained as Annexure No.2 to this petition, within stipulated time period as fixed by this Hon'ble Court."

Upon due consideration of the fact that the application under Order 39 Rule 1 and 2 of CPC seeking temporary injunction is pending since 09.02.2023 as also the Circular No.C.L. No.24/Admin. G-II dated Allahabad 16.08.2017, issued by this Court, according to which, an application seeking temporary injunction should be decided within a period of six months, failing which, the presiding officer has to record reasons in the order sheet, this Court is of the view that no fruitful purpose will be served in keeping this petition pending.

Accordingly, present petition is disposed of with direction to respondent No.1-Civil Judge, (Senior Division), District-Sitapur to consider and decide the Application seeking temporary injunction, (Paper No. C-6), most expeditiously, after affording full opportunity of hearing to the parties to the litigation and without granting any unnecessary adjournment to either party preferably within a period of four months from the next date fixed in the case, if there is no other legal impediment in this regard.

With the aforesaid observations, the petition is **disposed of.**

Order Date :- 16.10.2023/Vinay/-