

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5242 of 2023

Petitioner :- Ram Karan Tripathi

Respondent :- Civil Judge (Junior Division) Kunda, Pratapgarh And Another

Counsel for Petitioner :- Awadhesh Kumar Tiwari, Pankaj Kumar Mishra

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 i.e. Civil Judge, Junior Division, Kunda, Pratapgarh to decide the Original Suit No.211/2017; Ram Karan Tripathi Versus Amar Nath pending before the Civil Judge, Junior Division, Pratapgarh, expeditiously, preferably within a period of three months."

Taking note of the facts as indicated in the present petition as also that the suit instituted in the year 2017 for specific performance of contract is pending as Original Suit No.211 of 2017 and in the same till date written statement has not been filed by the opposite party No.2, 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, Junior Division, Kunda, Pratapgarh to consider and decide the Original Suit No.211 of 2017, 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 two years from the next date fixed in the case, if possible and if there is no other legal impediment in this regard.

It is made clear that the Court has not examined the case of either of the parties on merits and the authority concerned shall be free to decide the matter strictly in accordance with law.

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

Order Date :- 16.10.2023

Vinay/-