

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5254 of 2023

Petitioner :- Rajak Panchayat Samiti Bachrawan, Raebareli Thru.

Chairman Ram Manohar

Respondent :- Civil Judge (Senior Division) District Rae Bareilly And Another

Counsel for Petitioner :- Bhupendra Yadav

Hon'ble Saurabh Lavania, J.

Heard learned counsel for the petitioner.

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

By means of this petition, the petitioner has sought following main relief:-

"Issue an order or directing the opposite party no. 1 to decide the stay application dated 22.02.2023 pending in Original Suit No. 45/2023, CNR No.- UPRB050000812023, Rajak Panchayat Samiti Bachrawan through its Chairman Ram Manohar versus Dr. Sunil Kumar as contained Annexure No.1 to the petition within short and reasonable period prescribed by this Hon'ble court in the interest of justice."

It is submitted that for the reasons beyond control of the petitioner, the application, in issue, has not been decided and on account of pendency of the same, the petitioner is suffering great hardship and mental agony. In these circumstances, indulgence of this Court is required in the matter. The prayer is to direct the Court concerned to consider and decide the pending application within the stipulated time by this Court.

Considering the facts and circumstances of the case, this Court is of the view that no fruitful purpose will be served in keeping this petition pending. Accordingly, this petition is disposed of with a direction to the Court concerned to consider and decide the pending application dated 22.02.2023 most expeditiously after affording full opportunity of hearing to the parties to the litigation and without granting any adjournment to either party if possible on the next date fixed in the case and if it is not possible, then within a period of four months from the next date fixed in the case, if there is no other legal impediment in this regard.

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

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

Order Date :- 16.10.2023/Arun/-