

Court No. - 17

Case :- MATTERS UNDER ARTICLE 227 No. - 5239 of 2023

Petitioner :- Kanhaiyalal Seth

Respondent :- Addl. District And Sessions Judge F.T.C.(New) Lakhimpur Kheri And Others

Counsel for Petitioner :- Durgesh Kumar Shukla, Samarth Saxena

Hon'ble Alok Mathur, J.

1. Heard learned counsel for petitioner as well as learned Standing Counsel for the State.
2. By means of present writ petition, the petitioner has sought a direction to the respondent No. 1 to decide the SCC Suit No. 2 of 2019 (Kanhaiyalal Seth Vs. Kiran Tondon & others) expeditiously.
3. It has been submitted by learned counsel for petitioner that aforesaid suit has been filed by the petitioner for decree of eviction and recovery of rent in the year 2019 but till date the same has not been decided on one or other pretext.
4. Learned counsel for petitioner submits that the grievance of the petitioner shall be substantially redressed in case respondent No. 1//Additional District and Sessions Judge, F.T.C. (new), Lakhimpur Kheri is directed to decide the same expeditiously.
5. It is stated that the said suit was filed by the petitioner in the year 2019. The respondent/defendants have already put in appearance and the suit is at the stage of cross examination.
6. Considering that the suit is proceeding and is at the stage of cross examination and the said suit is pending for last four years no specific time frame is required to be passed in exercise of its powers under Article 227 of the Constitution. However, respondent No. 1//Additional District and Sessions Judge, F.T.C. (new), Lakhimpur Kheri is directed to decide SCC Suit No. 2 of 2019 (Kanhaiyalal Seth Vs. Kiran Tondon & others) expeditiously without granting any unnecessary adjournment to either of the parties.
7. With aforesaid observations and directions the petition stands **disposed of**.

(Alok Mathur, J.)

Order Date :- 13.10.2023

Ravi/