

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5256 of 2023

Petitioner :- Virajman Murti Jalpa Devi Mandir , Thru. Its Pujari Sri Arjun And 4 Others

Respondent :- Civil Judge (J.D.) Kaisarganj, Distt. Bahraich And 2 Others

Counsel for Petitioner :- Aditya Kumar Tiwari

Hon'ble Saurabh Lavania,J.

Heard.

In view of the order proposed to be passed by this Court, notice to the private-respondents is dispensed with.

The present petition has been filed for the following main relief:-

"(i) To direct the opposite party No. 1 i.e. Civil Judge (Junior Division), Kaisarganj, District-Bahraich to decide the Regular Suit No.1067/2014, (Virajman Murti Jalpa Devi Mandir & others Vs. Ismail & another), within stipulated period as it may be directed by this Hon'ble Court in the interest of justice."

It is submitted that for the reasons beyond control of the petitioners, the case, in issue, has not been decided till date, though, the same is pending since 2014 and on account of pendency of the same, the petitioner are suffering great hardship and mental agony. In these circumstances, indulgence of this Court is required in the matter. The prayer is to direct the respondent no.1, to decide the pending proceedings within stipulated period of time.

Considering the facts and circumstances, this Court is of the opinion that no gainful purpose will be served in keeping the aforesaid petition pending. Accordingly, in the ends of justice the respondent No.-1/Civil Judge (Junior Division), Kaisarganj, District-Bahraich, is directed to consider and decide the Regular Suit No.1067/2014, (Virajman Murti Jalpa Devi Mandir & others Vs. Ismail & another), most expeditiously, after affording full opportunity of hearing to the parties, but without granting any unnecessary adjournment to either of the parties preferably within one year from the next date fixed before it, 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, the petition is ***disposed of***.

Order Date :- 16.10.2023

Jyoti/-