

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5253 of 2023

Petitioner :- Mohd. Khaleek Khan

Respondent :- Civil Judge (Senior Division) Court No. 15 Sultanpur
And 9 Others

Counsel for Petitioner :- Krishna Kumar Vishwakarma, Rishabh
Kapoor

Hon'ble Saurabh Lavania, J.

1. Heard.
2. In view of the order proposed to be passed by this Court, notice to the private-respondent(s) is dispensed with.
3. Instant petition has been filed with the following main prayers:

"i. An order or direction to the respondent no. 1 to decide the case bearing Suit No. 373 of 2018 (Mukeed Ahmad & Ors. Vs. Badrunisha & Ors.) expeditiously within a period of six months.

ii. An order or direction to the respondent no. 1 to proceed with Suit No. 373 of 2018 (Mukeed Ahmad & Ors. Vs. Badrunisha & Ors.) considering the survey report dated 09.02.2023, bearing No. 110 as the revision no. 20 of 2023 filed by the respondent no. 5 against the survey report dated 09.02.2023 has been dismissed vide order dated 13.09.2023."

4. Submission of learned counsel for the petitioner is that the a suit, in issue, registered as Regular Suit No. 373 of 2018, was filed in the year 2018 though a large number of dates have been fixed, however, for the reasons beyond control, the matter has not yet been decided and on account of pendency of the same, petitioners are suffering great hardship and mental agony. As such, the present petition for the main prayer sought.

5. Considering the aforesaid facts and circumstances of the case, without entering into the merits of the case, present petition is disposed of with direction to opposite party No.1-Civil Judge (Senior Division) Court No. 15 Sultanpur to decide the Suit No. 373 of 2018 (Mukeed Ahmad & Ors. Vs. Badrunisha & Ors.), 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.

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

Order Date :- 16.10.2023/Mohit Singh/-