

Court No. - 6

Case :- MATTERS UNDER ARTICLE 227 No. - 5289 of 2023

Petitioner :- Om Prakash @ Om Prakash Gaya Prasad Pandey

Respondent :- Civil Judge (J.D.) Sadar , Distt. Pratapgarh And 3 Others

Counsel for Petitioner :- Anju Singh,Dinesh Kumar Ojha

Hon'ble Rajnish Kumar,J.

Heard Sri D.K.Ojha, learned counsel for the petitioner.

Considering the nature of order proposed to be passed, requirement of issuance of notice to the opposite parties is dispensed with.

Submission of learned counsel for the petitioner is that the petitioner has filed Regular Suit No.1567 of 2022 for cancellation of sale deed and permanent injunction alongwith the application for interim injunction but the same has not been disposed of and the application moved under Section 151 C.P.C. in the month of January 2023 has also not been considered.

As submitted by learned counsel for the petitioner, the application moved under Section 151 C.P.C. was moved on 24.01.2023 when there was strike of lawyers. Thereafter also it appears that the same has not been pressed by learned counsel for the petitioner and the order sheet also does not indicate that the application for interim relief has been pressed. However if the same is pending, the same should have been considered.

In view of above, without entering into the merits of the case, the petition is **disposed of** with liberty to the petitioner to move appropriate application for expeditious disposal of application for interim relief before the concerned court. In case any such application is moved by the petitioner within a period of one week from today, the same shall be considered by the concerned court and endeavour to decide the application expeditiously thereafter after affording opportunity to the parties, if there is no impediment.

Order Date :- 17.10.2023

Akanksha