

Court No. - 6

Case :- MATTERS UNDER ARTICLE 227 No. - 5327 of 2023

Petitioner :- Phool Badan

Respondent :- Additional Civil Judge Junior Division Court No. 39 Civil Judge Lko. And 6 Others

Counsel for Petitioner :- Ram Karan

Counsel for Respondent :- C.S.C.

Hon'ble Rajnish Kumar,J.

Heard, Shri Ram Karan, learned counsel for the petitioner and learned Standing Counsel for opposite parties no.2 and 3.

Submission of learned counsel for the petitioner is that the petitioner has filed a Regular Suit No.1304 of 2023; Phool Badan Versus Shiv Ram and others for permanent injunction against opposite parties no.4 to 7 alongwith an application for interim injunction, but till date the application for interim injunction has not been considered and the case is now listed on 27th of October 2023. He makes an innocuous prayer for a direction to the concerned court for disposal of application of interim injunction, within some stipulated period.

Perusal of the order sheet annexed by the petitioner dated 10.07.2023 and 03.8.2023 indicates that the petitioner himself was not present on the date fixed before the concerned court, the order sheet thereafter has not been annexed.

In view of above, the petition is **disposed of** with liberty to the petitioner to press his interim injunction application before the concerned court on the next date fixed, which may be considered by the concerned court in accordance with law after affording opportunity to the parties. In case the application is not disposed of on the said date, the petitioner may move an application for expeditious disposal of the interim injunction application on the date fixed and the same may be disposed of on the date fixed itself or within a period of one week thereafter and endeavour to decide the application for interim injunction expeditiously, if there is no impediment.

This court has not examined the petition on merit and it is to be examined by the concerned court.

(Rajnish Kumar,J.)

Order Date :- 17.10.2023

Banswar