

Court No. - 6

Case :- MATTERS UNDER ARTICLE 227 No. - 5299 of 2023

Petitioner :- Abdul Kadir @ Kadir

Respondent :- Civil Judge, (Junior Division), District-Gonda
And 7 Others

Counsel for Petitioner :- Amrendra Kumar

Counsel for Respondent :- C.S.C., Pankaj Gupta

Hon'ble Rajnish Kumar,J.

Heard Shri Amrendra Kumar, learned counsel for the petitioner, learned Additional Chief Standing Counsel for the respondent nos.4 to 6 & 8 and Shri Vikram Datt Pandey, Advocate holding brief of Shri Pankaj Gupta, learned counsel for the respondent no.7.

Considering the nature of the order proposed to be passed, the requirement of issuance of notice to the respondent nos.2 and 3 is dispensed with.

Learned counsel for the petitioner submits that the petitioner has filed Regular Suit No.1783 of 2023 for permanent injunction alongwith an application under Order-39, Rule-1&2 C.P.C. read with Section 151 C.P.C. for temporary injunction. On which the notices were issued on 12.07.2023. However on account of some urgency the petitioner has filed an application under Section 151 C.P.C. on 01.08.2023. On which the objections were invited but till date the same has not been disposed of.

On a query being put, though learned counsel for the petitioner submits that the notices have been served, however it appears that while the application under Section 151 C.P.C. was filed, the objections have been invited and the steps have been directed to be taken and the case was directed to be listed on 23.08.2023, when the case was adjourned on account of leave of the Presiding Officer and listed on 30.10.2023 and the next date is not known to the learned counsel for the petitioner.

In view of above, without entering into the merit of the case, the petition is **disposed of** with liberty to the petitioner to move application for expeditious disposal of the application under Section 151 C.P.C., in case the same has not been disposed of till date. In case, any such application is moved within a period of one week from today, the same shall be considered by the

concerned court and appropriate order shall be passed thereon within a period of two weeks thereafter and proceed accordingly.

(Rajnish Kumar, J.)

Order Date :- 28.11.2023
Haseen U.