

Court No. - 6

Case :- MATTERS UNDER ARTICLE 227 No. - 5359 of 2023

Petitioner :- Ram Dular

Respondent :- Upper Civil Judge (J.D.) Room Number 26,
District Pratapgarh And Others

Counsel for Petitioner :- Manuvendra Singh

Hon'ble Rajnish Kumar,J.

Heard Shri Manuvendra Singh, learned counsel for the petitioner.

This petition has been filed for a direction for disposal of Misc. Case No.210 of 2017, under Order-9, Rule-4 of C.P.C. pending in Original Suit No.508 of 2021; Ram Dular & Others Vs. Shrinath & Others since 30.05.2017.

The petition has been filed without impleading the other two applicants i.e. Rati Pal and Ram Pyare in this petition, therefore this petition itself is not maintainable. Even otherwise this is the second petition for the prayer made in this petition because earlier also the petitioner had approached this Court by means of Misc. Single No.12043 of 2021; Ram Dular Vs. Upper Civil Judge (J.D.) Pratapgarh & Others, which was disposed of on 16.06.2021 with a direction to decide the Misc. Case No.210 of 2017 in a time bound manner.

In view of above, this petition is **dismissed** as not maintainable. However, if the order dated 16.06.2021 passed in Misc. Single No.12043 of 2021 is not being complied, the petitioner may avail appropriate remedy as may be available under law.

(Rajnish Kumar, J.)

Order Date :- 18.10.2023

Haseen U.