

Court No. - 6

Case :- MATTERS UNDER ARTICLE 227 No. - 5429 of 2023

Petitioner :- Shiv Pratap Trading Company, Pratapgarh Thru.
Proprietor Prakash Mishra

Respondent :- Upper Civil Judge (Junior Division) Room No.
15, Pratapgarh And Another

Counsel for Petitioner :- Rakesh Mishra

Hon'ble Rajnish Kumar,J.

Heard Shri Rakesh Mishra, learned counsel for the petitioner.

Submission of learned counsel for the petitioner is that the petitioner has filed Regular Suit No.871 of 2023 for permanent injunction alongwith an application under Order-39, Rule-1 C.P.C. for temporary injunctions. The notices were issued on the application for temporary injunction and the opposite party no.2, who was the defendant in the suit had appeared and filed his objection but the application for temporary injunction has not been disposed of till date, therefore he makes an innocuous prayer for a direction for disposal of his application within some short stipulated period.

He further submits that the case was fixed on 26.10.2023, when it has been adjourned on account of strike of lawyers and now 30.11.2023 is fixed.

Without entering into the merit of the case, this petition is **disposed of** with liberty to the petitioner to press his application before the concerned court on the date fixed and in case the same could not be disposed of on the date fixed itself, he may move appropriate application for expeditious disposal within a period of one week thereafter, which shall be considered by the concerned court and appropriate order shall be passed thereon within a week and endeavour to decide the application for interim injunction expeditiously in a time bound manner, if there is no impediment, in accordance with law after affording opportunity to the parties.

(Rajnish Kumar, J.)

Order Date :- 27.10.2023

Haseen U.