

Court No. - 6

Case :- MATTERS UNDER ARTICLE 227 No. - 5549 of 2023

Petitioner :- Saiyed Jaigam Abbas Thru. Mukhtar Mohd. Rais Khan

Respondent :- Civil Judge (Junior Division) Sadar, Ayodhya And 5 Others

Counsel for Petitioner :- Sunil Kumar Singh, Manish Mishra

Hon'ble Rajnish Kumar, J.

Sri S.K.Singh, learned counsel for the petitioner submits that the petitioner has filed suit for cancellation of Sale Deed and permanent injunction bearing Regular Suit No.617 of 2022 pending in the court of Civil Judge(J.D) Sadar, District Ayodhya, in which notices have been deemed sufficient. He submits that the sale deed which is sought to be set aside has been executed in contempt of order dated 08.08.2019 passed in Writ Petition Misc. Single No.18900 of 2019. Therefore there is urgency in the matter. However, perusal of the typed copy of the order sheet filed by the petitioner indicates that the petitioner, who is plaintiff in the aforesaid suit, himself is not appearing since 04.07.2022 i.e. from the beginning of filing of the suit. Admittedly, when the petitioner himself is not appearing from the very beginning of filing of the suit and the order sheet also does not indicate that even the notices have been issued in the suit, this Court fails to understand as to how the case is being listed for filing written statement.

In view of above, this Court is not inclined to issue any direction for disposal of the suit filed in the year 2022 and moreover in a case in which the petitioner himself is not interested in pursuing the matter.

Dismissed accordingly.

Let a copy of this order be communicated by the Senior Registrar of this Court to the District Judge, Ayodhya to look into the matter.

Order Date :- 31.10.2023

Akanksha