

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5729 of 2023

Petitioner :- Sitarunisha

Respondent :- Civil Judge (Junior Division) Balrampur And 3 Others

Counsel for Petitioner :- Rayees Ahmad Khan

Hon'ble Saurabh Lavania,J.

1. Heard.

2. In view of order proposed to be passed, issuance of notice to the private-respondent(s) is hereby dispensed with.

3. Present petition has been filed for the following main reliefs:-

"To directing the Court of Learned Civil Judge (J.D.) Balrampur to decide the application for temporary injunction Under order 39 Rule 1 and 2 C.P.C. pending in the Regular Suit NO.663 of 2022, in the name of Sitarunisha Vs Radha Devi and others within stipulated period as fixed by this Hon'ble Court."

4. Learned counsel for the petitioner submits that the application seeking temporary injunction under Order 39 Rule 1 C.P.C. filed in the case, in issue, is pending since 14.12.2022 though as per the Circular No. C.L. No.24/Admin. G-II dated Allahabad 16.08.2017, issued by this Court, an application seeking temporary injunction should be decided within a period of six months.

5. Taking note of the aforesaid as also Circular dated 16.08.2017, the present petition is disposed of with a direction to respondent No.1-Civil Judge (Junior Division) Balrampur to decide the aforesaid application pending in Case No. 663 of 2022, most expeditiously, after affording full opportunity of hearing to the parties to the litigation and without granting any unnecessary adjournment to either party preferably within a maximum period of six months from the next date fixed in the case, if there is no other legal impediment in this regard.

6. It is made clear that the Court has not examined the case of either of the parties on merits and the authority/court concerned shall be free to decide the matter strictly in accordance with law.

7. With the aforesaid observations, the petition is **disposed of**.

Order Date :- 7.11.2023/Mohit Singh/-