

Court No. - 3

Case :- WRIT - C No. - 9579 of 2023

Petitioner :- Mohd. Azam

Respondent :- State Of U.P. Thru. Prin. Secy. Revenue Civil Sectt. Lko
And Others

Counsel for Petitioner :- Abdul Alim Khan, Mohammad Imaran

Counsel for Respondent :- C.S.C.

Hon'ble Vivek Chaudhary, J.

Hon'ble Manish Kumar, J.

Heard learned counsel for the petitioner and the learned
Standing Counsel.

Petitioner claim that he has got an injunction order in Civil Suit No.715 of 2023 dated 27.03.2023 in his favour from the Court of Civil Judge (J.D.), Bahraich but in violation thereof the constructions are being raised by the respondent no.5 and other persons along with her. It is also claimed that an application under Order 39, Rule 2-A C.P.C. is also filed which is numbered as Misc. Case No.372/20/2023 of 2023 (Mohd. Azam Vs. Smt. Zohra Khatoon and others) and the same is pending before the Civil Judge (J.D.), Bahraich.

It goes without saying that the Civil Judge (J.D.) concerned has sufficient power under the law to pass appropriate direction with regard to defendants in the suit as well as to the administrative and Police authorities to ensure compliance of the same.

In view thereof, petitioner is permitted to move appropriate application for any further direction that he may so desires before the Civil Judge concerned. In case any such application is filed, the Court concerned shall proceed to decide the same without any delay. It also goes without saying that the administrative and Police authorities are bound to give effect to the orders passed by the Court concerned.

With the aforesaid directions, the writ petition stands disposed of.

(Manish Kumar, J.) (Vivek Chaudhary, J.)

Order Date :- 1.11.2023

Arjun/-