

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5725 of 2023

Petitioner :- Devi Prashad

Respondent :- Sunil Kumar Rai And 2 Others

Counsel for Petitioner :- Vikas Maurya

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:-

"Issue an Order or Direction to Civil Judge (J.D.) F.T.C. Ayodhya to decide the Original Suit No. 400 of 2015 (Sunil Rai Vs. Gaya Prashad and others) pending in the court of Civil Judge (J.D.) FTC Faizabad/ Ayodhya since 01.02.2006 expeditiously within some stipulated period, in the interest of justice."

4. Considering the period of pendency of the case as also that the issues have already been framed as appears from the order dated 21.03.2023 (Annexed as part of Annexure No. 3 to the petition), this Court is of the view that no fruitful purpose would be served in keeping the present petition pending. Accordingly, the present petition is **disposed of** with a direction to Civil Judge (Junior Division), F.T.C., Ayodhya to decide the case, quoted in prayer clause, 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 period of one and half years from the next date fixed in the case, if possible and if there is no other legal impediment in this regard.

5. The benefit of the order would be available to the petitioner if he would appear on the each date fixed in the case.

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.

Order Date :- 7.11.2023

Mohit Singh/-