

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5734 of 2023

Petitioner :- Rekha Gupta And 2 Others

Respondent :- Civil Judge (Senior Division) Court No-20 Barabanki
And Another

Counsel for Petitioner :- Pratibha Agnihotri, Vishvajeet Singh

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 directing to the opposite party no 1 to decide regular suit specific performance for contract no- 470 of 2015, Anand Shanker Gupta versus Sushil Chandra bearing no-UPBB05000882015 pending before Civil Judge (Senior Division) Court No- 20 District- Barabanki, since -18/12/2015 expeditiously as provided under act."

4. Considering the period of pendency of the case, in issue as also the fact that the issues have already been framed in the case as appears from the order dated 11.01.2017 (Anneuxre No. 2 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 respondent No.1-Civil Judge (Senior Division) Court No-20 Barabanki 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 a 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/-