

Court No. - 6

Case :- MATTERS UNDER ARTICLE 227 No. - 5864 of 2023

Petitioner :- Smt. Beena Kumari

Respondent :- Civil Judge (Junior Division) Musafirkhana, Sultanpur And Another

Counsel for Petitioner :- Birendra Narain Shukla, Krishna Kumar Singh

Hon'ble Rajnish Kumar,J.

Sri Birendra Narain Shukla, learned counsel for the petitioner submits that the petitioner has filed Regular Suit no.299 of 2021 (Smt. Beena Kumari vs Sri Shiv Darshan) for specific performance of contract which is pending in the court of Civil Judge, (Junior Division) Musafirkhana, Sultanpur. The petitioner has filed an application for interim injunction along with the suit, on which, the notices were issued on 24.09.2021. However, the application for interim injunction has not been disposed of till date and the case is now listed on 21.12.2023. He prays for a direction for disposal of the application for interim injunction within some short stipulated period.

Perusal of the order sheet filed by the petitioner does not indicate that the application is being pressed by the applicant. However, if the application has been filed the same should be disposed of.

Considering the nature of order proposed to be passed in this petition, the issuance of notice to opposite party no.2 is dispensed with. The opposite party no.1 is the court concerned.

In view of above, without entering into the merits of the case, the petition is **disposed of** with liberty to the petitioner to move an appropriate application for expeditious disposal of his application for interim injunction filed along with Regular Suit no.299 of 2021 (Smt. Beena Kumari vs Sri Shiv Darshan) before the concerned court. In case, any such application is moved by the petitioner within a period of ten days from today, the concerned court shall consider the same and pass appropriate order by the next date fixed and proceed accordingly and endeavour to decide the application for interim injunction expeditiously in a time bound manner after affording opportunity to the parties in accordance with law, if there is no impediment.

(Rajnish Kumar,J.)

Order Date :- 17.11.2023/Harshita