

Court No. - 6

Case :- MATTERS UNDER ARTICLE 227 No. - 5927 of 2023

Petitioner :- Smt. Sunita Rastogi And 6 Others

Respondent :- Additional Civil Judge (S.D.) C.No. 20 ,Lko. And 2 Others

Counsel for Petitioner :- Digvijai Singh,Hemant Kumar

Counsel for Respondent :- Dilip Kumar Pandey

Hon'ble Rajnish Kumar,J.

On an objection raised by Sri Dilip Kumar Pandey, learned counsel for the opposite party no.3/ Gaon Sabha that the respondent no.3 has wrongly been impleaded in this petition, Sri Hemant Kumar, learned counsel for the petitioners submits that inadvertently the Gaon Sabha has been impleaded and he may be permitted to delete the respondent no.3 Gaon Sabha from the array of parties. To which there is no objection by learned counsel for the Gaon sabha.

In view of above, learned counsel for the petitioners is permitted to delete the opposite party no.3 from the array of parties during course of the day.

Heard learned counsel for petitioners.

In view of the order proposed to be passed this Court does not deem it necessary to issue notice to respondents as their interest would be well protected by the order passed by this Court.

By means of the present petition, the petitioners have prayed for the following reliefs:-

"(i) to issue order or direction to the opposite party no.1/ Additional Civil Judge (S.D.) C No.20, Lucknow to decide the R.S. No.265 of 2022(Old Regular Suit No.247/2016) Smt. Suneeta Rastogi & Others versus Prem Chad Rastogi & Others, contained as Annexure No.1 within a stipulated period prescribed by this Hon'ble Court in the interest of justice.

(ii) To issue any other order or direction in favour of the petitioners, which this Hon'ble Court may deem just, fit and proper in the circumstances of the case"

This court on administrative side has already issued directions to the court below to obtain zero pendency of cases which are more than five years old. In view of directions already issued on administrative side, this court is not inclined to pass any further order on judicial side.

However, it is always open for the petitioners to move

appropriate application before the court before which the matter is pending for expeditious hearing. In case any such application is moved within a week from today the same shall be considered and disposed of within two weeks thereafter and endeavour shall be made to decide the Suit within a time frame.

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

Order Date :- 22.11.2023

Akanksha