

**Court No. - 6**

**Case :-** MATTERS UNDER ARTICLE 227 No. - 5937 of 2023

**Petitioner :-** Maimun Nisha

**Respondent :-** State Of U.P. Thru. Its Revenue Secy. Civil Secr. Lko.  
And 3 Others

**Counsel for Petitioner :-** Ashish Raman Mishra

**Counsel for Respondent :-** C.S.C.

**Hon'ble Rajnish Kumar,J.**

Sri Ashish Raman Mishra, learned counsel for the petitioner submits that the State of U.P. through it's Revenue Secretary has wrongly been impleaded as opposite party no.1 and he may be permitted to delete the same. To which there is no objection by the other side.

In view of above, learned counsel for the petitioner is permitted to delete the respondent no.1 from the array of parties and re-number the respondent nos.2,3 and 4 as respondent nos.1,2, and 3 during course of the day.

Heard learned counsel for the petitioner.

Learned counsel for the petitioner submits that the petitioner has filed Regular Suit No.1414/2018 for permanent injunction and cancellation of judgment and decree passed in Regular Suit No.701 of 2014 alongwith application for temporary injunction under Order 39 Rule 1 and 2 read with Section 151 C.P.C. but the application for interim injunction has not been disposed of till date.

Perusal of the order sheet annexed by the petitioner does not indicate that the application for interim injunction is being pressed by the petitioner before the concerned court. However, in case the application has been filed, the same is required to be considered and disposed of.

Considering the nature of order proposed to be passed, requirement of issuance of notice to the opposite party nos.1 to 3 is dispensed with.

In view of above, without entering into the merits of the case, the petition is **disposed of** with liberty to the petitioner to move appropriate application for expeditious disposal of the application for interim injunction filed alongwith Regular Suit No.1414 of 2018 before the concerned court. In case any such application is moved within a period of two weeks from today

before the concerned court, the concerned court shall consider the same and pass appropriate orders thereon within a further period of two weeks and proceed accordingly in accordance with law.

**Order Date :- 22.11.2023**

Akanksha