

Court No. - 17

Case :- MATTERS UNDER ARTICLE 227 No. - 5972 of 2023

Petitioner :- Mohammad Ejaz Khan And 2 Others

Respondent :- Learned Addl. Civil Judge (S.D.) Court No. 21, Lko. And 2 Others

Counsel for Petitioner :- Irfan Khan, Abdur Rub

Hon'ble Alok Mathur, J.

C. M. Application No. IA/2 of 2023- for amendment.

1. Heard Sri Irfan Khan, learned counsel for the applicants/petitioners.
2. The cause shown in the accompanying affidavit is sufficient. The application is allowed. The petitioner is permitted to carry out the amendment in prayer clause by replacing 'Criminal Misc. Case No.7 of 2018' with 'Misc. Case No.7 of 2018'.

Order on memo of the petition.

1. Heard Shri Irfan Khan, learned counsel for the petitioners.
2. By means of the present writ petition it has been prayed that Additional Civil Judge (Senior Division), Court No.21, Lucknow may be directed to decide Misc. Case No.7 of 2018 (Smt. Anees Jahan & others Vs. Mohd. Hashim and another) within a stipulated time as the same is pending for a long time.
3. It has been submitted that the petitioner has filed a suit for ejection and also for recovery of arrears of rent and Measne Profits before Judge, Small Causes, Lucknow which is pending since February, 2018. It has been stated that the said case was dismissed for want of prosecution.
4. Considering this fact as well as arguments of learned counsel for the petitioner, the petition is **disposed of** with a liberty to the petitioner to move appropriate application before the trial court raising all the grounds for which he seeks expeditious disposal of his case. On the said application being filed before the trial court, the trial court shall consider the same and pass appropriate orders thereon. In case, the application is filed by the petitioner within next two weeks the trial court shall pass appropriate orders on the application for expediting the suit within four weeks thereafter, if possible, in accordance with law.

(Alok Mathur, J.)

Order Date :- 7.12.2023

RKM.