

Court No. - 7

Case :- MATTERS UNDER ARTICLE 227 No. - 5974 of 2023

Petitioner :- Smt. Malti Devi And Another

Respondent :- Dist. Magistrate / Arbitrator Pratapgarh And 2 Others

Counsel for Petitioner :- Vimal Kumar,Km. Vishwa Mohini,Rajesh Kumar

Counsel for Respondent :- C.S.C.,Sarvesh Kumar Dubey

Hon'ble Abdul Moin,J.

Heard learned counsel for the petitioners and Sri Sarvesh Kumar Dubey, learned counsel for respondent no.3.

By means of the present petition, the petitioners have prayed for a direction to respondent No.1 i.e. District Magistrate/Arbitrator, District Pratapgarh to expedite the hearing of Arbitration Case No.280/2019.

The Court is not inclined to issue directions in a matter such as the present merely because a party has moved this Court under Article 227 of the Constitution to direct the concerned authority to decide the pending case overriding several cases which are equally pressing and are pending, by granting priority to a particular case. The fact that a particular case requires urgent disposal is to be considered by the concerned authority itself.

Accordingly, the petition is disposed of permitting the petitioners to move an application before the concerned authority pointing out the grounds of urgency. In the event, the petitioner does so, the concerned authority may consider whether the case should be expedited having regard to the urgency of the case.

There shall be no order as to costs.

Order Date :- 24.11.2023

A. Katiyar