

Court No. - 6

Case :- MATTERS UNDER ARTICLE 227 No. - 5997 of 2023

Petitioner :- Smt. Kamala Devi

Respondent :- State Of U.P. Thru. Prin. Secy. Home Lko. And
7 Others

Counsel for Petitioner :- Udai Bhan Pandey

Counsel for Respondent :- C.S.C.

Hon'ble Rajnish Kumar,J.

Heard Sri Udai Bhan Pandey learned counsel for the petitioner and learned Standing counsel.

Learned counsel for the petitioner submits that the petitioner has filed Regular Suit no.3111 of 2021 (Kamla Devi vs Shiv Ratan and ors) in which an interim injunction has been granted on 01.12.2020. On account of violation of the said interim injunction, the petitioner has filed an application under Order 39 Rule 2A CPC on 06.05.2022, but the same has not been disposed of till date. Therefore, he makes innocuous prayer for a direction for disposal of the said application within some stipulated period. To which, there is no objection by the learned Standing counsel.

However, perusal of the order sheet filed by the petitioner indicates that the petitioner himself is not appearing and pressing his application.

Considering the nature of order proposed to be passed in this petition, issuance of notice to opposite party no.6 is dispensed with.

Without entering into 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. In case, any such application is moved within a period of one week from today, the same shall be considered by the concerned court and appropriate order shall be passed within two weeks thereafter and proceed accordingly.

(Rajnish Kumar,J.)

Order Date :- 29.11.2023

Harshita