

Court No. - 6

Case :- MATTERS UNDER ARTICLE 227 No. - 6009 of 2023

Petitioner :- Mahesh Narayan @ Mahesh Ram Lakhan Shukla

Respondent :- Civil Judge (Junior Division) South Court No. 24 Sultanpur And 4 Others

Counsel for Petitioner :- Prabhakar Nath Mishra, Vinod Kumar Tiwari

Hon'ble Rajnish Kumar,J.

Heard Sri Vinod Kumar Tiwari learned counsel for the petitioner.

Learned counsel for the petitioner submits that the petitioner has filed Regular Suit no.1371 of 2023 (Mahesh Narayan vs Shesh Narayan & ors) for permanent injunction alongwith an application under Order 39 Rule 1 and 2 CPC for temporary injunction. Notices were issued on 04.08.2023 and since then several dates have been fixed but the application has not been disposed of.

However, on a query being put to the learned counsel for the petitioner in regard to the defendants, he fairly admits that till last date notices were not served.

In view of the above, without entering into merits of the case, the petition be **disposed of** with liberty to the petitioner to move an appropriate application for disposal of the application for interim injunction before the court concerned. In case, any such application is moved before the next date fixed i.e.13.12.2023, the same shall be considered on the next date fixed or within a period of ten days thereafter and pass appropriate order thereon and proceed accordingly.

(Rajnish Kumar,J.)

Order Date :- 29.11.2023

Harshita