

Court No. - 6

Case :- MATTERS UNDER ARTICLE 227 No. - 6089 of 2023

Petitioner :- Ajay Prakash And 4 Others

Respondent :- Civil Judge (J.D.) Faizabad Distt Ayodhya And 13 Others

Counsel for Petitioner :- Arun Kumar Pandey

Hon'ble Rajnish Kumar,J.

Sri Prashant Vikram Singh, Advocate filed vakalatnama on behalf of respondent nos.2 and 3, which is taken on record.

Heard Sri Arun Kumar Pandey, learned counsel for the petitioner and learned counsel for the respondent nos.2 and 3.

Submission of learned counsel for the petitioner is that the petitioner has filed Regular Suit No.914/2023(Ajay Prakash and others versus Om Prakash and others) for permanent injunction alongwith an application under Order 39 Rule 1 and 2 of Civil Procedure Code, which is pending in the Court of Civil Judge Sadar(Junior Division) Faizabad, District Ayodhya, on which the notices were issued and the objections have also been filed but till date the application for ad-interim injunction has not been disposed of despite several dates have been fixed by the court and again on 04.12.2023 time for filing objection has been granted. Therefore he makes an innocuous prayer for a direction to the concerned court to consider and dispose of the application filed under Order 39 Rule 1 and 2 of the C.P.C. alongwith Regular Suit No.914/2023 within some short stipulated period.

Per contra, learned counsel for the respondent nos. 2 and 3 submits that as per his instructions, the matter was heard on the application for interim injunction on 04.12.2023 but the court was not convinced therefore the case has been adjourned. He further submits that he has already filed objections to the application for ad-interim injunction before the trial court. However, he submits that he has no objection in case a direction is issued for disposal of the application for ad-interim injunction.

Considering the nature of order proposed to be passed, requirement of notice to the opposite parties no.4 to 14 is dispensed with. Opposite party no.1 is the court concerned.

Without entering into the merits of the case, the petition is **disposed of** with direction to the concerned court to consider and dispose of the application for ad-interim injunction

preferably on the date fixed and if not possible on the said date, expeditiously and preferably within a period of four weeks thereafter in accordance with law without granting unnecessary adjournment to either of the parties.

Order Date :- 5.12.2023

Akanksha