

Court No. - 6

Case :- MATTERS UNDER ARTICLE 227 No. - 6090 of 2023

Petitioner :- Kulwant Prasad Tripathi

Respondent :- Addl. Civil Judge (J.D.) Court No. 24, Distt. Pratapgarh And 11 Others

Counsel for Petitioner :- Akhilesh Kumar Pandey

Hon'ble Rajnish Kumar,J.

Supplementary affidavit filed by the learned counsel for the petitioner is taken on record.

Learned counsel for the petitioner submits that the predecessor-in-interest of the respondent nos.2 to 9 have filed Regular Suit No.212 of 1995 and some of the issues have been disposed of but the suit has not been disposed of, therefore, he makes an innocuous prayer for disposal of suit.

In view of the order proposed to be passed this Court does not deem it necessary to issue notice to the opposite parties as their interest would be well protected by the order passed by this Court.

By means of the present petition, the petitioner has prayed for the following reliefs:-

"(i) Issue a direction thereby directing the opposite party no. 1 to decide the pending Original Suit No. 212 of 1995 "Rampher Vs. Kulwant Prasad and others" pending before the court of Additional Civil Judge (Junior Division) Court No. 24, Pratapgarh date fixed for 13.12.2023, expeditiously within stipulated period (as contained in Annexure No.1 to the petition), in the interest of justice.

(ii) Issue any other order or direction which this Hon'ble Court may deem fit, just and proper may also be passed.

(iii) Allow the petition with cost in favour of the petitioner."

This court on administrative side has already issued directions to the court below for zero pendency of cases, which are more than five years old. In view of directions already issued on administrative side, this court is not inclined to pass any further order on judicial side.

However, it is always open for the petitioner to move appropriate application before the court before which the matter is pending for expeditious hearing and disposal. In case any such application is moved within a week from today the same shall be considered and disposed of within two weeks

thereafter and endeavour shall be made to decide the Suit within a time frame.

With the aforesaid, the petition is **disposed of**.

(Rajnish Kumar, J.)

Order Date :- 13.12.2023

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