

Court No. - 6

Case :- MATTERS UNDER ARTICLE 227 No. - 6105 of 2023

Petitioner :- Ashish Srivastava

Respondent :- The Civil Judge (Sd) Lucknow And Another

Counsel for Petitioner :- Dharmendra Kumar

Hon'ble Rajnish Kumar,J.

Heard Shri Dharmendra Kumar, learned counsel for the petitioner.

Learned counsel for the petitioner submits that the petitioner has filed a Suit for permanent injunction alongwith an application for temporary injunction under Order 39 Rule 1 and 2 CPC, on which the notices have been issued, but no interim injunction has been granted, whereas there is urgency in the matter because if the respondent no.2 execute the sale deed in regard to the land in dispute the Suit will become infructuous.

However nothing in this regard has been placed on record. Perusal of the order sheet annexed with the petition indicates that the notices have been issued on 04.10.2023 fixing 30.01.2024 and as submitted by learned counsel for the petitioner the steps have been taken by him.

Considering the nature of order proposed to be passed issuance of notice to opposite party no.2 is dispensed with. The respondent no.1 is the court concerned.

The petition is **disposed of**, without entering into the merit of the case, with liberty to the petitioner to move appropriate application for expeditious disposal of the interim injunction application showing urgency. In case any such application is moved, the same shall be considered and disposed of by the court concerned expeditiously in accordance with law.

(Rajnish Kumar,J.)

Order Date :- 5.12.2023

Banswar