

Court No. - 6

Case :- MATTERS UNDER ARTICLE 227 No. - 6167 of 2023

Petitioner :- Mohammed Vakil Siddiqui

Respondent :- Civil Judge (S.D.) Court No. 20 Barabanki And 6 Others

Counsel for Petitioner :- M.K. Dixit

Hon'ble Rajnish Kumar,J.

Heard Shri M.K. Dixit, learned counsel for the petitioner.

Learned counsel for the petitioner submits that the petitioner has filed a Regular Suit No.313 of 2015 (Hazi Mohammad Vakil Vs. Smt. Kaisher Jahan & Others) for permanent injunction which is pending in the court of Civil Judge (Sr. Division), Court No.20, Barabanki.

The regular suit was decided ex-parte by means of the judgment and decree dated 11.11.2021. Thereafter an application for recall was moved by the defendant, who is respondent in the present petition and the application has been allowed and the ex-parte judgment and decree has been set aside by means of the order dated 17.03.2023 on a cost of Rs.1000/- and the case has been restored on its original number. Thereafter 3-4 dates have been fixed but the case is not proceeding. Therefore, at this stage, merely on asking of the petitioner, without any extraordinary reason, no direction can be issued for disposal of the suit by this Court.

Dismissed accordingly.

(Rajnish Kumar, J.)

Order Date :- 11.12.2023

Haseen U.