

Court No. - 6

Case :- MATTERS UNDER ARTICLE 227 No. - 6222 of 2023

Petitioner :- Mohamad Harun And Another

Respondent :- State Of U.P. Thru. Addl. Chief Secy. Deptt. Of Urban U.P. Lko. And Another

Counsel for Petitioner :- Satish Singh

Counsel for Respondent :- C.S.C.

Hon'ble Rajnish Kumar,J.

Learned Standing counsel raised a preliminary objection that the State of U.P. has wrongly been impleaded as respondent no.1 in the case.

Shir Satish Singh, learned counsel for the petitioner submits that inadvertently, the State of U.P. has been impleaded as respondent no.1 and prays that he may be permitted to delete State of U.P. i.e. respondent no.1 from the array of parties and delete the serial number mentioned before the respondent no.2.

The prayer is allowed. Learned counsel for the petitioner is permitted to delete the respondent no.1 and serial number mentioned before the respondent no.2 during course of the day.

Heard learned counsel for the petitioner.

Learned counsel for the petitioner submits that the petitioner has filed Regular Suit No.137 of 2022 for permanent injunction along with an application under Order XXXIX, Rule 1 & 2 C.P.C. for interim injunction. On the application for interim injunction, the notices were issued and the same has been deemed sufficient on 11.12.2023. Next date has been fixed on 16.01.2024. The urgency in the matter is that the shop of the petitioner has been demolished and he prays for a direction to be issued to the court concerned to consider and dispose of the application for interim injunction filed along with Regular Suit No.137 of 2022 expeditiously within a time bound manner.

Accordingly, without entering into the merits of the case, the petition is **disposed of** with a direction to the court concerned to consider and dispose of the application of interim injunction filed along with regular suit by the petitioner preferably on the next date fixed in the matter and if not possible, expeditiously and preferably within a period of four weeks thereafter in

accordance with law and without granting unnecessary adjournment to either of the parties.

Order Date :- 13.12.2023

S. Shivhare

[Rajnish Kumar,J.]