

Court No. - 6

Case :- MATTERS UNDER ARTICLE 227 No. - 6233 of 2023

Petitioner :- Husnain Khan

Respondent :- State Of U.P. Thru. Secy. Law Deptt. Civil Sectt. Lko And 2 Others

Counsel for Petitioner :- Ranjeet Singh

Counsel for Respondent :- C.S.C.

Hon'ble Rajnish Kumar,J.

Shri Ranjeet Singh, learned counsel for the petitioner at the outset submits that the State of U.P. has wrongly and inadvertently been impleaded as respondent no.1, therefore he may be permitted to delete respondent no.1 and re-number the other parties. To which there is no objection by learned Standing Counsel.

In view of above, learned counsel for the petitioner is directed to delete respondent no.1/State of U.P. and re-number other parties.

Heard learned counsel for petitioner.

In view of the order proposed to be passed this Court does not deem it necessary to issue notice to respondents 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.2 i.e. the learned 2nd Additional Civil Judge (Junior Division) Gonda to decide the Regular Suit No.1436 of 2006 ' Zameel Ahmad Versus Husnain Khan' within a shortest and specified period of time.

(ii) Issue a direction as this Hon'ble Court deems just and proper under the facts and circumstances of the case may also be passed in favour of the petitioner in the interest of justice.

(iii) allow the petition in favour of the petitioner."

This court on administrative side has already issued directions to the court below to obtain 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. 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 :- 14.12.2023
Banswar