

Court No. - 6

Case :- MATTERS UNDER ARTICLE 227 No. - 6251 of 2023

Petitioner :- Smt. Sugharpati

Respondent :- Civil Judge Junior Division, Distt Balrampur
And 6 Others

Counsel for Petitioner :- Prabhat Dwivedi

Hon'ble Rajnish Kumar,J.

Shri Prabhat Dwivedi, learned counsel for the petitioner submits that the petitioner has filed Execution Case No.2 of 2022; Smt. Sugharpati Vs. Munna Lal and Others, under Order-21, Rule-11 C.P.C. on 23.03.2022 but the same has not been disposed of till date despite a direction issued by the Hon'ble Supreme Court in the case of Rahul S. Shah Vs. Jitendra Kumar Gandhi and Others; (2021) 6 SCC 418 to the effect that the executing court must dispose of the Execution Proceedings within six months from the date of filing, which may be extended only by recording reasons in writing for such delay. The relevant portion 42/12 is extracted here-in-below:-

"42.(12). The executing court must dispose of the execution proceedings within six months from the date of filing, which may be extended only by recording reasons in writing for such delay."

In view of above, the concerned execution court has to comply the direction issued by the Hon'ble Supreme Court, which may be brought to the knowledge of Execution Court by the petitioner through an application.

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

(Rajnish Kumar, J.)

Order Date :- 18.12.2023 / Haseen U.