

Court No. - 6

Case :- MATTERS UNDER ARTICLE 227 No. - 6366 of 2023

Petitioner :- Ram Pati

Respondent :- Civil Judge (Senior Division) Malihabad, Lko. And 3 Others

Counsel for Petitioner :- Triloki Nath Yadav

Hon'ble Rajnish Kumar,J.

Sri Triloki Nath Yadav, learned counsel for the petitioner submits that the respondent no.2, who is the son of the petitioner has filed Regular Suit No.1789 of 2021 against the petitioner and the respondent nos. 3 and 4. The respondent no.2 is the defendant no.3 in the suit. The petitioner has filed written statement in January 2021 but till date the issues have not been framed and despite last opportunity granted, time and again, the suit is being fixed for disposal of interim injunction application. The petitioner is aged about 75 years. Therefore there is urgency in the matter so that the petitioner may make appropriate arrangement for disposal of his property.

Considering the nature of order proposed to be passed, requirement of issuance of notice to the opposite party nos.2 to 4 is dispensed with. Respondent no.1 is the court concerned.

Without entering into the merits of the case, the petition is **disposed of** with liberty to the petitioner to move appropriate application before the concerned court for expeditious disposal of the suit showing the ground of urgency as to why the case should be given preference over and above other cases. In case any such application is moved within a period of one week from today, the same shall be considered by the concerned court and appropriate order shall be passed thereon within a further period of two weeks and endeavour to decide the suit expeditiously in a time bound manner, if there is no impediment.

Order Date :- 20.12.2023

Akanksha