

Court No. - 20

Case :- MATTERS UNDER ARTICLE 227 No. - 6391 of 2023

Petitioner :- Tulsi Ram Shukla

Respondent :- Civil Judge (Junior Division) Gonda And Another

Counsel for Petitioner :- Pankaj Verma

Hon'ble Manish Mathur,J.

Heard learned counsel for the petitioner.

In view of the order being passed notices to opposite parties stands dispensed with.

Petition has been filed seeking a direction to the Court concerned to decide application filed by the petitioner under Section 152 read with section 151 of the CPC dated 24.7.2023 seeking amendment of the order dated 02.12.2023 passed in Regular Suit No.3261 of 2022 (Gopal Sharan vs. Smt Nandini Devi and Others).

It has been submitted that the petitioner has been arrayed as defendant no.15 in the aforesaid suit proceedings which was filed for permanent injunction by the opposite party no.2 but by means of the order dated 02.12.2022 interim injunction has been granted against all the respondents including petitioner although in the plaint, relief has been sought only against defendants no.1 to 14.

In view of the aforesaid the petitioner has filed the aforesaid application for amendment of the order dated 02.12.2022 which is still pending consideration which is causing hindrance in peaceful enjoyment of the property by the petitioner.

In view of the aforesaid facts and submissions opposite party no.1 is directed to consider and decide the petitioner's application dated 24.7.2023 filed under Section 152 read with Section 151 CPC expeditiously, preferably within a period of six weeks from the date a certified copy of this order is brought on record of the said proceedings.

With the aforesaid the petition stands ***disposed of.***

Order Date :- 21.12.2023
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