

Court No. - 20

Case :- MATTERS UNDER ARTICLE 227 No. - 3857 of 2024

Petitioner :- Rukmani Devi

Respondent :- Yadunandan And 3 Others

Counsel for Petitioner :- Girish Chandra Verma

Counsel for Respondent :- C.S.C.

Hon'ble Ajay Bhanot,J.

The only prayer made by the learned counsel for the petitioner is to decide the proceedings of the Civil Suit No.1125 of 2022 (Rukmani Devi v. Yadunandan and others) pending before the learned Civil Judge (Junior Division), Lakhimpur, Kheri within a stipulated period of time.

Shri Girish Chandra Verma, learned counsel for the petitioner contends that the applicant is a handicapped lady who is suffering from 50% permanent disability. It is also claimed that she is 74 years old and is illiterate. She does not have any source of income and is on the verge of starvation.

In the wake of these facts, the following directions are issued to the learned Civil Judge (Junior Division), Lakhimpur, Kheri before whom the Civil Suit No.1125 of 2022 (Rukmani Devi v. Yadunandan and others), is pending:

(I) The learned trial court/learned Civil Judge (Junior Division), Lakhimpur, Kheri is directed to decide the Civil Suit No.1125 of 2022 (Rukmani Devi v.

Yadunandan and others), preferably, within a period of one year from the date of receipt of a certified copy of this order.

(II) All parties are directed to cooperate in the trial proceedings.

(III) The learned Civil Judge (Junior Division), Lakhimpur, Kheri shall not grant any unnecessary adjournment to the parties.

(IV) In case any party adopts dilatory tactics or creates impediment in compliance of this order, the learned trial court/learned Civil Judge (Junior Division), Lakhimpur, Kheri shall impose costs not below Rs.5,000/- for each adjournment against such party. Thereafter, the learned trial court shall record a finding to this effect and proceed in accordance with law.

(V) In case the counsel for any party does not appear before the learned trial court/learned Civil Judge (Junior Division), Lakhimpur, Kheri on any date on the ground of strike of advocates, the trial court shall not permit such counsel (of either party) to appear in this case on future dates.

(VI) The learned trial court/learned Civil Judge (Junior Division), Lakhimpur, Kheri shall proceed with the trial on a day to day basis, if required, to ensure that the above stipulated time period of one year to decide the suit is adhered to.

With the aforesaid directions, the petition is finally disposed of.

Order Date :- 20.8.2024

Ashish Tripathi