

\$~52(Appellate)

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CM(M) 1101/2022 & CM APPL.44948/2022

PRIYANKA SINGH

..... Petitioner

Through: Mr. Vivek Narayan Sharma,
Mr. Laksha Bhavnani, Mr. Adhiraj Wadhera
and Mr. Abhinav Raghav, Advs.

versus

BIMLESH KUMARI & ORS.

..... Respondents

Through: None

CORAM:

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER (O R A L)

19.10.2022

%

1. This petition under Article 227 of the Constitution of India seeks a direction, to the learned Additional District Judge (the learned ADJ) in seisin of Suit 581/18 to decide pending applications under Order XII Rule 6, Order XXXIX Rule 7 read with Section 151 read with Order XLVII Rule 1, Order VI Rule 17, within a time bound frame.

2. Learned Counsel for the petitioner has drawn my attention to order dated 7th October 2021, by which this Court had directed the learned ADJ to decide an application under Order XXXIX Rule 2A filed by the petitioner within a specific time bound frame and further, to decide the application of the petitioner under Order XXXIX Rules 1 and 2 of the CPC as expeditiously as possible.

3. Both the applications have been disposed of by the learned ADJ. Accordingly, the directions contained in the aforesaid order dated 7th October 2021 passed by this Court stand complied with.

4. I have already expressed my reluctance, in earlier orders, to direct Trial Courts to decide matters in a time bound frame. Consequent to disruption of work in the Trial Courts over a period of almost three years during the COVID-2019 pandemic, work in Trial Courts have accumulated. It is a matter of common knowledge that most of the Trial Courts are inundated with matters. Despite every effort, it cannot be expected of the courts to deal with every matter before them.

5. As such, of the applications of which expeditious disposal is being sought, in the present petition, in my view, the application under Order XXXIX Rule 7 of the CPC alone may merit expeditious hearing and disposal. Pleadings in the said application are said to be complete.

6. Accordingly, the learned ADJ is requested to hear arguments on the application filed by the petitioner under Order XXXIX Rule 7 of the CPC on the next date of hearing and decide the said application on the same date or immediately thereafter.

7. The learned ADJ would also endeavour to proceed as expeditiously as possible with respect to the remaining applications which are pending before her in the afore-noted suit.

8. With the aforesaid directions, this petition, along with pending

miscellaneous applications, if any, stand disposed of.

C.HARI SHANKAR, J

OCTOBER 19, 2022/kr

