# IN THE HIGH COURT OF MADHYA PRADESH AT GWALIOR

**BEFORE**

**HON'BLE SHRI JUSTICE RAJENDRA KUMAR-IV**

**ON THE 2nd OF FEBRUARY, 2024**

**MISC. PETITION No. 493 of 2024**

**BETWEEN:-**

**SAURABH TIWARI S/O SHRI UMA SHANKAR TIWARI, AGED ABOUT 42 YEARS, OCCUPATION: BUSINESS G-20 BANK COLONY CITY CENTER DISTRICT GWALIOR (M.P. ) (MADHYA PRADESH)**

**.....PETITIONER**

***(BY MR. RAJEEV SHRIVASTAVA - ADVOCATE)***

**AND**

**SMT. MADHAVI SHARMA W/O PAWAN SHARMA, AGED ABOUT 54 YEARS, OCCUPATION: HOUSEWIFE 49/50 GANDHI ROAD, SATYADEV NAGRA DISTRICT GWALIOR (M.P. ) (MADHYA PRADESH)**

**.....RESPONDENT**

***(NONE)***

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*This petition coming on for hearing this day, the court passed the following:*

**ORDER**

Petitioner filed this petition under Article 227 of the Constitution of India seeking following relief:-

> "1. That, looking to the compromise decree in respect of the substantial amount the trial Court be directed to execute the decree forthwith without any adjournment and to issue the attachment warrant to be executed forthwith.
>
> 2. That, cost of this litigation may also be awarded."

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Signed by: BARKHA SHARMA
Signing time: 03-Feb-24 4:39:47 PM

2. Heard learned counsel for the petitioner.

3 . By way of present petition, a direction to execute the decree in execution proceedings No.40/2021 is being sought expeditiously within the stipulated time.

4. It is commonly known that each and every Court of the country is burdened with number of cases and this Court is not aware about the pendency of the cases in the Court concerned. Thus, it will not be proper to tie the Court concerned to decide the case within the specified period, but on the other hand case cannot be kept pending for an uncertain period.

5 . Having regard to the submissions made by learned counsel for the petitioner and considering the facts and circumstances of the execution case, it is provided that in case petitioner makes an application before the Court below for early disposal of the case, the Court shall consider it, pass an appropriate order and decide the case within reasonable time.

6. The petition is finally **disposed of** in the above terms.

**(RAJENDRA KUMAR-IV)**
**JUDGE**

bj/-

Signature Not Verified
Signed by: BARKHA SHARMA
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