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

+ **CM(M) 2045/2024**

**SMT MANJU RANI**

..... Petitioner

Through: **Mr. Sarthak Sharma, Adv.**

versus

**THE COMMISSIONER SDMC AND ORS**

..... Respondents

Through: **Mr. Vinod Dahiya, Addl. Standing  
Counsel for R-1 to 3.**

**CORAM:**

**HON'BLE MS. JUSTICE SHALINDER KAUR**

**ORDER**

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**05.03.2024**

**CM APPL. 13806/2024—Exp.**

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

**CM(M) 2045/2024**

3. The present petition has been filed under Article 227 of the Constitution of India seeking directions for learned ASCJ-CUM-JSCC-CUM-Guardian Judge, Dwarka Courts, New Delhi (hereinafter referred as '**Trial Court**'), to dispose of the suit within 6 months or any other period which this Court deem fit and proper.

4. Learned counsel submits that the petitioner herein had filed a suit for permanent and mandatory injunction against the respondents in September, 2017. The issues were framed on the pleadings of the parties on 17.07.2018 and the petitioner had examined 4 witnesses in support of his case.



However, only official witnesses remained to be examined and for the said purpose vide orders dated 04.01.2024, the learned Trial Court has fixed the next date of hearing for 25.05.2024.

5. It is further submitted that the petitioner is a senior citizen and has been diligently conducting his case before the learned Trial Court, however, on 04.01.2024, the court staff of the learned Trial Court had summoned the wrong witnesses which was never a fault on the part of the petitioner and moreover the associate of the counsel for the petitioner was also available to conduct the examination of the witness which was not permitted by the learned Trial Court and a long adjournment was granted.

6. It is submitted on behalf of the petitioner that in these circumstances that the learned Trial Court be directed to conduct the proceedings of the case in a time frame manner, may be within 6 months from today.

7. Learned counsel for the respondents has no objection in case the aforesaid directions are passed.

8. Accordingly, the learned Trial Court is directed to expeditiously dispose of the present suit preferably within a period of 8 months from today.

9. With the above directions, the petition stands disposed of.

**SHALINDER KAUR, J.**

**MARCH 5, 2024**

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