2025:UHC:10145

HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Misc. Single No. 3098 of 2025

17 November, 2025

Madan Mohan Loshali

--Petitioner

Versus

Meenakshi & another

--Respondents

Presence:-
Mr. Jai Krishna Pandey, learned counsel for the petitioner.

Hon'ble Pankaj Purohit, J.

As per office report, the writ petition is defective.

2. It is contended by the learned counsel for the petitioner that initially the typed copy of Annexure-2 was not filed. Therefore, an exemption application was filed seeking exemption from filing the typed copy. However, subsequently, the typed copy has also been filed. Despite this, the defect as pointed out by the Registry still persists.

3. Having heard the learned counsel for the petitioner, the defects pointed out by the Registry are ignored.

4. The prayer made in this writ petition is to direct the learned Civil Judge (Senior Division), Haldwani, District Nainital, to expedite the proceedings of O.S. No. 29 of 2020, *Sri Madan Mohan Loshali vs. Smt. Meenakshi and another*, filed by the petitioner-plaintiff for injunction.

5. From a perusal of the order-sheet, it transpires that the suit is still at the stage of the plaintiff's evidence.

6. In such view of the matter, no case is made out for directing the expeditious disposal of the suit in view of the law laid down by the Hon'ble Apex Court in ***Sangram Sadashiv Suryavanshi v. State of Maharashtra*** (Criminal Appeal No. 4758 of 2024, decided on 25.11.2024 ***[2024 INSC 899]).*** The Hon'ble Apex Court has held that Constitutional Courts may issue directions for time-bound disposal of cases **only in exceptional circumstances**, and that the issue of prioritizing disposal of cases is best left to the discretion of the courts before which such cases are pending.

7. In view of the aforesaid legal authority, the Court finds that the present case does not fall within the category of 'exceptional circumstances'.

8. Accordingly, the present writ petition is dismissed in-*limine*.

9. Pending application if any, stands disposed of.

(Pankaj Purohit, J.)
17.11.2025

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