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**IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR**

**BEFORE
HON'BLE SHRI JUSTICE GURPAL SINGH AHLUWALIA**

ON THE 17th OF OCTOBER, 2023

MISC. PETITION No. 1834 of 2021

BETWEEN:-

**ARVIND KUMAR AZAD S/O LATE SHRI HUKUMCHAND
AZAD, AGED ABOUT 68 YEARS, OCCUPATION: RETIRED
R/O 22, AZAD VIHAR, BESIDE RAMESHWARAM
COLONY, BEHIND DR. MANISH KUMBHARE CLINIC, M-
4, COLONY LAXMIPUR (MADHYA PRADESH)**

.....PETITIONER

(BY SHRI AKHILESH JAIN - ADVOCATE)

AND

- 1. GIRISH KUMAR SARAIYA S/O LATE GANGA
PRASAD, AGED ABOUT 62 YEARS, R/O 599, WEST
NIWARGANJ, JABALPUR, THR. MUKHTYAR AAM
RAJIV LOCHAN PANDEY R/O HOUSE NO.53,
CHERITAL, JABALPUR (MADHYA PRADESH)**
- 2. ARUN PARASHAR S/O B.P. PARASHAR, AGED
ABOUT 60 YEARS, LAL HAWELI NEAR RTO
OFFICE, KARMETA ROAD, JABALPUR (MADHYA
PRADESH)**
- 3. ALOK MISHRA S/O SHAMBHU PRASAD MISHRA,
AGED ABOUT 58 YEARS, OCCUPATION: BUILDER,
SHOBHAPUR JABALPUR, HAVING OFFICE AT
ALOK MISHRA ASSOCIATES, CARAVAS PLAZA,
NEAR EMPIRE TALKIES, JABALPUR (MADHYA
PRADESH)**
- 4. ABHILASH TIWARI S/O A.P. TIWARI, AGED ABOUT
54 YEARS, OCCUPATION: PRIVATE, R/O SOHAGI
ADHARTAL, HAVING OFFICE AT ALOK MISHRA
ASSOCIATES, CARAVAS PLAZA, NEAR EMPIRE
TALKIES, JABALPUR (MADHYA PRADESH)**

.....RESPONDENTS

(BY SHRI L.C. PATNE - ADVOCATE)

This petition coming on for order on PUD this day, the court passed the following:

ORDER

This case is fixed for consideration of PUD dated 09.10.2023 received from the 9th Civil Judge, Senior Division, Jabalpur through Principal, District and Sessions Judge, Jabalpur.

It is mentioned in the PUD that by order dated 25.01.2023 passed by this Court in M.P. No.1834/2021, the trial Court was directed to dispose of the trial within a period of seven months. Neither the petitioner nor the respondents brought the said order to the notice of the trial Court and it was received from the office of Principal District and Sessions Judge, Jabalpur on 27.02.2023. Thereafter, multiple efforts were made by the trial Court to conclude the trial but in view of the multiple interlocutory applications filed by the parties, the trial could not be concluded. Accordingly, it is prayed that four months more time may be granted.

The PUD is not supported by the copies of the order-sheets to show the steps taken by the trial Court. Even the Principal District and Sessions Judge, Jabalpur has not sent his comments with regard to the steps taken by the trial Court. Whenever a PUD is sent for extension of time then it must be accompanied by the order-sheets of the trial Court to show the steps taken by it and the said reason assigned by the trial Court must be verified by the Principal District and Sessions Judge and a separate report must also come along with the PUD. The Principal District and Sessions Judge should not act as a post office merely to forward the PUD sent by the trial Court.

Be that whatever it may be.

It is directed that whenever a PUD is sent for extension of time then it

must be accompanied by the order-sheets of the trial Court to show the steps taken by it in compliance of the direction given by this Court and the said PUD must be duly verified by the Principal District and Sessions Judge who shall also sent his report with regard to the fact as to whether the steps were sincerely taken by the trial Court to comply with the order of the High Court or not.

The PUD which is sent is completely silent about the steps. However, since the trial Court has sought for further time of four months to conclude the trial, therefore, the **PUD is allowed** and a further time of four months is granted to conclude the trial. The Principal District and Sessions Judge, Jabalpur is directed to instruct or guide the trial Court in case if it faces some difficulty in early disposal of the trial.

With aforesaid observation, the case is finally **disposed of**.

Registry is directed to immediately send this order to the Principal District and Sessions Judge, Jabalpur as well as to the trial Court for necessary information and compliance.

(G.S. AHLUWALIA)
JUDGE

Priya.P