

1
**IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR**

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

ON THE 15th OF DECEMBER, 2023

MISC. PETITION No. 2395 of 2021

BETWEEN:-

**VEVA SADHNA DUBEY W/O LATE VIJAY KUMR DUBEY,
D/O LATE POORNANAND DUBEY, AGED ABOUT 55
YEARS, OCCUPATION: HOUSE WORK, WARD NO.10,
MUKHARJI WARD, GURAIYA MOHALLA, SIHORA,
DISTT. JABALPUR (MADHYA PRADESH)**

.....PETITIONER

(BY SHRI R.K. TIWARI- ADVOCATE)

AND

- 1. MUKESH KUMAR DUBEY S/O LATE
POORNANAND DUBEY, AGED ABOUT 50 YEARS,
OCCUPATION: KRISHI, R/O WARD NO.8,
BRAMHANPURA VISHNUDATT MOHALLA,
SIHORA, DISTT. JABALPUR (MADHYA PRADESH)**
- 2. THE STATE OF M.P. THROUGH DISTRICT
COLLECTOR, DISTT. JABALPUR (MADHYA
PRADESH)**

.....RESPONDENTS

**(NONE FOR RESPONDENT NO. 1 THOUGH SERVED AND SHRI
GAJENDRA PARASHAR- PANEL LAWYER FOR RESPONDENT/STATE)**

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

ORDER

This petition under Article 227 of Constitution of India has been filed against orders dated 05.06.2021 and 30.06.2021 passed by 1st Civil Judge Class-II, Sihora, District Jabalpur and II Additional District Judge, Sihora, District Jabalpur in RCSA No. 47/2021 and MCA No. 5/2021 respectively.

2. The petitioner is the plaintiff who had filed an application under Order 39 Rule 1 and 2 of C.P.C. Her application was rejected by trial Court by order dated 05.06.2021 and the miscellaneous appeal filed under Order 43 Rule 1 of C.P.C. was dismissed by order dated 30.06.2021 and the prayer for temporary injunction was refused.
3. This Court by interim order dated 09.09.2021 has directed the parties to maintain status quo. The said interim order is still in existence.
4. None appears for respondent No. 1 to oppose the petition.
5. The Suit was filed on 06.05.2021 and two and half years have passed but the stage of the suit is not known.
6. Since, the parties have been directed to maintain status quo and that order is in operation for the last two years and three months, therefore, no useful purpose would be served by deciding this miscellaneous petition on merits.
7. Accordingly, by affirming the order dated 09.09.2021, it is directed that the trial Court shall positively decide the suit within a period of 9 months from today.
8. The petitioner is directed to submit a copy of this order before the trial Court within a period of 15 days from today, failing which the protection granted to the petitioner shall automatically come to an end.
9. In case if require, the trial Court shall proceed further on day to day basis and shall ensure that no unnecessary adjournment is granted to any of the parties without any reasonable reason.
10. With aforesaid observations, petition is finally **disposed of**.

(G.S. AHLUWALIA)

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