

Court No. - 7

Case :- MATTERS UNDER ARTICLE 227 No. - 4248 of 2021

Petitioner :- Shri Rakesh Asthana

Respondent :- Major (Dr.) Pramod Krishna Asthana And 8 Others

Counsel for Petitioner :- Aklank Kumar Jain

Hon'ble Ajit Kumar,J.

Heard learned counsel for the petitioner and perused the record.

By means of this writ petition under Article 227 of the Constitution, the petitioner has prayed for following relief:-

"(i). Issue a suitable order or direction commanding the court of Civil Judge (Senior Division), Agra to decide the application Paper No.- 26-C dated 06.03.2019 filed under Order XII Rule 6 CPC filed by the plaintiff in Original Suit No.- 749 of 2017 (Shri Rajiv Asthana and others vs. Major (Dr.) Pramod Kumar Asthana and another) filed by the plaintiff-petitioner expeditiously or within a definite time."

Considering overall facts and circumstances of the case, this petition is disposed of with a direction to the court concerned to conclude and decide the aforesaid application Paper No.- 26-C dated 6th March, 2019 of the petitioner filed in Original Suit No.- 749 of 2017, strictly in accordance with law and after recording satisfaction regarding service of summons and giving full opportunity of hearing to the appearing parties, as expeditiously as possible preferably within a period of three months from the date of production of copy of this order.

It is provided that order available on the official website of the High Court will be taken to be authentic one.

Order Date :- 3.9.2021

Atmesh