
(2013) 05 AHC CK 0004
In the Allahabad High Court
Case No : C.M.W.P. No. 1338 of 2013

Azad Ahmad

APPELLANT

Vs

Civil Judge (J.D.), Sant Kabir Nagar and Others

RESPONDENT

Date of Decision : 09-05-2013

Acts Referred:

Citation : (2014) 1 AWC 107

Hon'ble Judges : Sibghat Ullah Khan, J

Bench : Single Bench

Advocate : F.A. Alvi, for the Appellant;

Final Decision : Disposed Of

Judgement

Sibghat Ullah Khan, J.—Petitioner is defendant in Original Suit No. 475 of 2009, Mohd. Ali and another v. Azad Ahmad and another, which is pending before Civil Judge (Junior Division), Sant Kabir Nagar, Ad-interim injunction was granted to the plaintiffs on 28.7.2009. The said ad interim injunction order is constantly being extended from date to date. More than 50 dates have been fixed. This is shocking state of affairs. It is reported that 25.5.2013 is the next date fixed. Trial court is directed to hear the temporary injunction application finally on 25.5.2013. However, if it is not possible then it shall positively be heard on the next date. If on any date plaintiffs seek adjournment in any form (by filing any sort of application) or there is strike of advocates ad interim injunction order shall not be extended. This practice shall be followed in all the suits. Learned District Judge is directed to immediately circulate this order to all the Judges of his district. Learned District Judge is also directed to ascertain that in how many suits temporary injunction applications have not finally been decided for three years and remedial steps in this regard shall be taken and intimated to Hon'ble Administrative Judge.

2. Writ petition is disposed of.

3. Office is directed to send copy of this order to District Judge, Sant Kabir Nagar.

4. Copy of this order may also be placed before Hon''ble Administrative Judge of Sant Kabir Nagar for his Lordships perusal.