

(2024) 10 UK CK 0010

In the Uttarakhand High Court

Case No : Writ Petition Miscellaneous Single No. 2719 Of 2024

Jahid Hussain And Others

APPELLANT

Vs

Jameel Ahmad Alias Munni And

RESPONDENT

Date of Decision : 04-10-2024

Acts Referred:

Constitution Of India, 1950 — Article 227

Citation : (2024) 10 UK CK 0010

Hon'ble Judges : Pankaj Purohit, J

Bench : Single Bench

Advocate : B.N. Molakhi

Final Decision : Disposed Of

Judgement

Pankaj Purohit, J

1. Heard learned counsel for the parties.
2. By means of this writ petition filed under Article 227 of the Constitution of India, petitioners-plaintiffs have sought the indulgence of this Court for a direction to learned trial court to expedite the hearing of the Original Civil Suit No.06 of 2022 Jahid Hussain and Others Vs. Jameel Ahmad and Others, pending in the Court of Civil Judge (Sr. Div.), Ramnagar, District Nainital.
3. It is the case of the petitioners-plaintiffs that they have instituted the Original Civil Suit No.06 of 2022 Jahid Hussain and Others Vs. Jameel Ahmad and Others, pending in the Court of Civil Judge (Sr. Div.), Ramnagar, District Nainital and the plaintiffs' evidence have now been concluded and the matter is now being listed for the defendants' evidences.
4. It is contended by learned counsel for the petitioners that during plaintiffs' evidences, the defendants in order to protract the hearing of the aforesaid Original Civil Suit took as many as 10 adjournments and delayed the disposal of the Original Civil Suit.

5. It is further contended by learned counsel for the petitioners that the petitioner-plaintiff No.1 is 75 years of age and petitioner-plaintiff No.2 is 71 years of age and they want the suit to be decided during their lifetime and reap the fruits of the suit during their lifetime.

6. Having considered the contentions made by learned counsel for the petitioners and on perusal of the record and entire order sheet annexed by the learned counsel for the petitioners, this Court is of the view that it's a case where direction can be issued to learned trial court to expedite the hearing of the suit.

7. In this view of the matter, the writ petition is disposed of. Learned Civil Judge (Sr. Div.), Ramnagar, District Nainital is hereby directed to conclude the hearing of the Original Civil Suit No.06 of 2022 Jahid Hussain and Others Vs. Jameel Ahmad and Others, as early as possible but not later than one year. The parties shall not be allowed unnecessary adjournments.