

(2013) 05 AHC CK 0307

In the Allahabad High Court

Case No : C.M.W.P. No. 1292 of 2013 & Civil Miscellaneous Writ Petition No. 1292 of 2013

Manju

APPELLANT

Vs

Badri Prasad

RESPONDENT

Date of Decision : 07-05-2013

Acts Referred:

Civil Procedure Code, 1908 (CPC) — Order 39 Rule 1, Order 39 Rule 2

Citation : (2013) 05 AHC CK 0307

Hon'ble Judges : Sibghat Ullah Khan, J

Final Decision : Disposed Of

Judgement

Sibghat Ullah Khan, J.—The Court is not at all pleased with the situation that adinterim injunction granted in Original Suit No. 367 of 2011 Badri Prasad v. Manju and others pending before Civil Judge (Senior Division), Chandauli is being extended from date to date but temporary injunction application is not being finally decided. From the perusal of the order sheet it appears that 31 times ad interim injunction has been extended.

2. Writ petition is disposed of with the direction to Civil Judge (Senior Division), Chandauli to decide temporary injunction application finally within three months from the date of production of certified copy of this order provided that certified copy of this order is produced before the Court below within three weeks. No unnecessary adjournment shall be granted to the plaintiff. It is further directed that if on any date plaintiff seeks adjournment or advocates are on strike adinterim injunction shall not be extended. This practice I shall be adopted in all the suits/cases.

3. Office is directed to send a copy of this order to District Judge, Chandauli for circulating the same to other Judges of his district. A copy may also be placed before the Hon"ble Administrative Judge for his Lordship"s perusal.