

(2024) 02 RAJ CK 0156

In the Rajasthan High Court

Case No : Miscellaneous Application No. 90 Of 2023

Pushpa Kanwar

APPELLANT

Vs

Pratap Singh

RESPONDENT

Date of Decision : 01-02-2024

Acts Referred:

Code Of Civil Procedure, 1908 — Order 14 Rule 1

Citation : (2024) 02 RAJ CK 0156

Hon'ble Judges : Arun Bhansali, J

Bench : Single Bench

Final Decision : Disposed Of

Judgement

Arun Bhansali, J

1. A communication has been received from the Additional District Judge No.2, Udaipur seeking extension of time as granted by this Court while deciding S.B. Civil Misc. Appeal No.2071/2015.
2. This Court while deciding the said misc. appeal on 10.08.2021 had, inter-alia directed the trial court to proceed with the matter with utmost expedition, keeping in view the provisions of Order XVII Rule 1 CPC i.e. not to grant any unnecessary adjournments to the parties and ensure that the trial of the suit is concluded preferably within a period of nine months from the date a copy of this order is placed before the said court.
3. Submissions have been made that looking to the nature of the case, wherein large number of documents have been produced and the witnesses are being examined, the same is likely to take more time than what has been granted by the Court and, therefore, time may be extended by one year.
4. A perusal of the order passed by this Court, as noticed hereinbefore, would reveal that the Court has not granted fixed time frame, it had required the trial court to conclude the same preferably within a period of nine months. In case,

for justifiable reasons, the trial court is taking more time in deciding the said suit, there is no necessity to seek extension of time from this Court.

5. The misc. application stands disposed of. It is expected of the trial court to proceed with the matter with expedition as already ordered. A copy of this order be sent to the trial court i.e. Additional District Judge No.2, Udaipur forthwith.