

(2013) 05 AHC CK 0310

In the Allahabad High Court

Case No : Civil Miscellaneous Writ Petition No. 1269 of 2013

Ram Baran

APPELLANT

Vs

Civil Judge (J.D.), Jauntur and Others

RESPONDENT

Date of Decision : 03-05-2013

Acts Referred:

Constitution of India, 1950 — Article 227

Citation : (2013) 05 AHC CK 0310

Hon'ble Judges : Sibghat Ullah Khan, J

Final Decision : Disposed Of

Judgement

Sibghat Ullah Khan, J.

It is extremely disturbing that in O.S. No.1395 of 2009, Ram Baran Vs. Ram Karan, Civil Judge (J.D.), City, Jaunpur has not passed any effective order on temporary injunction application for four years. In the order sheet of 15.07.2010, it is mentioned that one defendant had appeared and others had refused to accept the notice. In spite of it, no order was passed on temporary injunction application. It appears that the learned judge does not in the least understand the urgency in injunction matters. Thereafter, repeated dates have been fixed. 23.05.2013 is the next date fixed. The learned judge is strictly directed to take up the temporary injunction application on the said date and hear the same. If defendants seek any adjournment, the learned judge shall consider the desirability of granting adinterim injunction. In other cases also, the learned presiding officer must be careful and if defendant has refused to accept the notice, then at least for the purposes of hearing temporary injunction application, that may be deemed to be sufficient service and thereafter steps to serve may again be directed to be taken.

Writ Petition is disposed of.