

(2014) 04 AHC CK 0284

In the Allahabad High Court

Case No : Matters Under Article 227 No. -1268 of 2014

Ram Shiromani Mishra

APPELLANT

Vs

Kamla Devi and 3 Others

RESPONDENT

Date of Decision : 28-04-2014

Acts Referred:

Constitution of India, 1950 — Article 227

Citation : (2014) 04 AHC CK 0284

Hon'ble Judges : Suneet Kumar, J

Bench : Single Bench

Advocate : Mukesh Kumar Upadhyay, Advocate for the Appellant; A.P. Srivastava, Advocate for the Respondent

Final Decision : Dismissed

Judgement

Suneet Kumar, J.—Heard learned counsel for the plaintiff/petitioner.

2. The plaintiff/petitioner has approached this Court to expedite the Suit No. 631 of 2007 (Kamla Devi Vs. Smt. Pushpa Mishra and others) pending in the Court of Additional Chief Judicial Magistrate (Sr. Division), Court No. VI, Allahabad.

3. In view of the decision in the case of Km. Shobha Bose Vs. Judge Small Causes Court 2010 (1) ADJ 531 (DB), it is not proper to issue any positive direction for time bound disposal of any proceedings without ascertaining the position of the workload in the court concern and in the absence of any allegation that the court below is responsible for the delay.

4. No ground has been made out by the learned counsel for the petitioner to invoke the supervisory jurisdiction of this Court under Article 227 of the Constitution of India.

5. The writ petition is dismissed.

6. However, dismissal of this writ petition shall not preclude the plaintiff/petitioner in filing appropriate urgency application before the concerned court

which shall consider the said application and pass appropriate orders within a period of three months from the date of receipt of certified copy of this order.