

(2021) 09 UK CK 0099

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 1244 Of 2012

Ravindra Brahmachari Disciple Hans Raj Ji Maharaj

APPELLANT

Vs

Sachha Vedic Sansthan

RESPONDENT

Date of Decision : 07-09-2021

Acts Referred:

Code Of Civil Procedure, 1908 — Order 43 Rule 1(r)
Constitution Of India, 1950 — Article 226

Citation : (2021) 09 UK CK 0099

Hon'ble Judges : Manoj Kumar Tiwari, J

Bench : Single Bench

Advocate : Tapan Singh, Sunaina Kothari, Siddhartha Sah

Final Decision : Dismissed

Judgement

Manoj Kumar Tiwari, J

1. This petition under Article 226 of Constitution of India has been filed by the defendant in Original Suit No. 06 of 2012, which was pending before learned Civil Judge (Junior Division), Narendra Nagar, District Tehri Garhwal. Petitioner was aggrieved by the order dated 14.06.2012 passed by learned District Judge, Tehri Garhwal, in Appeal filed by the respondent under Order 43 Rule 1 (r) C.P.C., whereby the order dated 11.04.2012 passed by learned trial Court, refusing to grant temporary injunction, was set aside and defendant in the suit (petitioner herein) was restrained from interfering with the affairs of the plaintiff society.
2. Learned counsel for respondent has apprised the Court that Original Suit No. 06 of 2012 itself has been decreed on 02.09.2021.
3. Learned counsel for the petitioner also does not dispute the submission so made by learned counsel for the respondent.
4. Since the suit itself has been decided, therefore, this writ petition, directed against an interlocutory order, has become infructuous.

5. In such view of the matter, the writ petition is dismissed as infructuous.