

Tulsidas Vs. Hemant Kumar

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Court : Madhya Pradesh

Decided On : Jun-26-2013

Appellant : Tulsidas

Respondent : Hemant Kumar

Judgement :

Writ Petition No.9412/13 26.6.2013 None for the petitioner.

He is heard on the question of admission.

Having perused this petition, the same is preferred by the petitioner/defendant under Article 227 of the Constitution of India for appropriate direction to the Court of Ist Civil Judge Class-I Harda, to take an endeavour to expedite the hearing on the application of the respondents filed under Order 39 Rules 1 & 2 of CPC (Annexure-P-2) and conclude the same within 15 days with a further prayer to direct such Court to conclude the suit also within the period three months.

It is apparent that suit filed only in the year 2012 so, at this stage, no direction to conclude the suit finally within three months could be given by this Court.

However, considering the available facts and circumstances according to which, after passing some exparte order of status-quo on the aforesaid application of respondents vide dated 7.5.2012, the same was extended on various dates and in last near about one year such application has neither been heard not adjudicated finally.

In such premises, this petition is disposed of with a direction to the aforesaid trial Court or Court concerned in which the impugned suit is pending, to take an endeavour to hear the arguments on the aforesaid application (Annexure-P-2) and decide the same within 30 days from the date of filing the certified copy of this order under intimation to this Court.

Petitioner is directed to submit the certified copy of this order along with the copy of the petition with annexures before the trial Court within 10 days from today to comply the aforesaid direction.

Certified copy as per rules.

(U.C.Maheshwari) Judge Pb

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