

Court No. - 19

Case :- MATTERS UNDER ARTICLE 227 No. - 4246 of 2024

Petitioner :- Smt. Sheeba Usmani

Respondent :- Civil Judge Senior Division Court No. 20 Distt. Barabanki And 5 Others

Counsel for Petitioner :- Yogesh Chandra Srivastava

Hon'ble Subhash Vidyarthi,J.

1. Heard Shri Yogesh Chandra Srivastava, learned counsel for the petitioner.
2. By means of the instant writ petition filed under Article 227 of the Constitution of India, the petitioner has sought issuance of a direction to the learned Civil Judge (S.D.), Court no.20, Barabanki to decide the Misc. Contempt Case No.76 of 2023, which has been filed by the petitioner under Order 39 Rule 2A C.P.C.
3. A perusal of the order sheet of the proceedings indicates that the notice of the application under Order 39 Rule 2A C.P.C. was issued on 10.05.2023 and service of notice has been deemed to be sufficient by means of an order dated 12.04.2024. On 20.08.2024, the proceedings were adjourned because nobody was present.
4. In these circumstances, it does not appear from the order sheet that the proceedings are being undue delayed because of inaction of the Court.
5. Accordingly, there is no occasion for this Court to issue any direction to the trial Court.
6. In view of the aforesaid discussion, this petition is ***disposed of*** by giving liberty to the petition to file an appropriate application before the trial Court for expeditious disposal of the case and the trial Court shall pass appropriate orders thereon in accordance with law.

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[Subhash Vidyarthi,J.]

Order Date :- 5.9.2024

-Amit K-