

WPMS No. 171 of 2012

Hon'ble V.K. Bist, J.

(Urgency Application No.552 of 2012)

Shri Piyush Garg, learned counsel for the petitioners.

Shri N.P. Shah, learned Brief Holder for the State/respondent No. 1.

Heard learned counsel for the parties.

Urgency application is allowed.

WPMS No. 171 of 2012

Heard.

This writ petition has been filed with the prayer to issue a writ, order or direction in the nature of mandamus directing the learned Civil Judge (S.D), Dehradun to expedite the proceedings of O.S. No. 571 of 2010, within a stipulated time frame.

It is pertinent to mention here that the original suit was filed by the respondent nos.2 and 3 in the year 2010 with a prayer for declaration of the Will dated 24.1.2007 as illegal and void and also for rest of the prayer for grant of *ad interim* injunction. It has been averred in the writ petition that the petitioners are the old ladies and are suffering from various ailments. It was further argued that because of the pendency of the aforesaid suit, they are facing several hardships. It was also submitted that the dispute is between the family members.

On a perusal of the arguments put forth on behalf of the petitioners, the Court is convinced to issue direction to the court below to decide the above original suit expeditiously. Therefore, the Civil Judge (S.D), Dehradun is directed to decide the proceedings of the Original Suit No. 571 of 2010, titled as *Smt. Manju Chandna Vs. Smt. Shaifali Bhaskar* and other, expeditiously, preferably within a period of one year from the date of production of certified copy of this order.

The writ petition is, accordingly, disposed of.

(V.K. Bist, J.)
Vacation Judge

27.01-2012

M.K./JKJ