

WPMS No. 1259 of 2014

Hon'ble V.K. Bist, J.

Heard Mrs. Monika Pant, Advocate for the petitioners and perused the record.

By way of this petition, the petitioners are seeking directions to Presiding Officer of the Court of Civil Judge (Sr. Div.), Dehradun to hear and conclude the Original Suit No. 518 of 2011 'Manjeet Singh Sudan/ 1/1 Mrs. Paramjeet Kaur and ors vs. Mr. Pritam Kaur and ors.', pending before him, as expeditiously as possible.

It is asserted that the petitioner filed the said suit in the year 2011 seeking decree of eviction of defendants and possession thereof as well as for permanent injunction. During the pendency of suit, plaintiff Mr. Manjeet Singh died and the petitioners have been substituted in the suit. The respondent no.3 put in appearance and the case was directed to proceed ex parte against other respondents. Thereafter, several dates were fixed, but the case could not be proceeded further. Respondent nos. 1,2 & 4 filed restoration application and now 26.02.2014 is fixed in the matter. It is submitted that the respondents are adopting delaying tactics due to which the petitioners are facing hardship and are being deprived of from enjoying their own property.

I have considered the submissions of the counsel for the petitioners. From perusal of the order sheet, it appears that though several dates have been fixed in the matter, but it did not culminate into its final conclusion. For the reasons recorded above, the petition is disposed of by issuing directions to the Court of Civil Judge (Sr. Div.), Dehradun, to decide

the Original Suit No. 518 of 2011 'Manjeet Singh Sudan/ 1/1 Mrs. Paramjeet Kaur and ors vs. Mr. Pritam Kaur and ors.', pending before him, expeditiously, preferably within a period of one year from the date of production of a certified copy of this order.

Interim relief application also stands disposed of.

(V.K. Bist, J.)

30.05.2014

NCM: