
(2025) 10 UH CK 0007

Uttarakhand HC

Case No: Writ Petition (M/S) No. 2775 Of 2025

Narendra Kumar

APPELLANT

Vs

Suman And Another

RESPONDENT

Date of Decision: Oct. 8, 2025

Acts Referred:

- Constitution Of India, 1950 — Article 227

Hon'ble Judges: Pankaj Purohit, J

Bench: Single Bench

Advocate: Siddhartha Singh, Zeba Naaz

Final Decision: Disposed Of

Judgement

Pankaj Purohit, J

1. This writ petition is filed under Article 227 of the Constitution of India by the petitioner, seeking the following reliefs:-

â€œ(i) Issue a writ, order or direction in the nature of mandamus to direct the learned Trial Court to decide the temporary injunction application and issue of valuation and court fees expeditiously and/or within the fixed time frame work as to be fixed by this Honâ€™ble High Court.â€

2. At the outset the learned counsel for the petitioner-defendant no.1 submits that the petitioner does not want to press the relief so far as it relates to â€œissue of valuation and court feesâ€; therefore the writ petition is dismissed as not pressed to that extent only.

3. A suit for permanent injunction was filed by the plaintiff-respondent no.1 before the learned Civil Judge (Junior Division) against the petitioner-defendant no.1 and respondent-defendant no.2.

4. In the said original suit, the respondent- plaintiff moved an application for temporary injunction. An ex parte injunction was granted to the respondent- plaintiff on 19.01.2017, and objections were called from the petitioner-defendant as well as the pro forma respondent-defendant.

5. It is submitted by the counsel for the petitioner-defendant no.1 (who is the only contesting defendant in the suit) that he has filed objections to the application for temporary injunction, supported by an affidavit, which are still pending consideration.

6. The petitioner contends that the said application for temporary injunction remains undecided despite the objections having been filed way back in the year 2017. Therefore, the petitioner has approached this Court seeking expeditious disposal of the said application.

7. The prayer made by the learned counsel for the petitioner-defendant no.1 is innocuous.

8. The right to speedy justice is a fundamental right.

9. Accordingly, the writ petition stands disposed of with a direction to the learned Civil Judge (Junior Division), Haridwar, to decide the application for temporary injunction after considering the objections filed by the petitioner-defendant no.1 expeditiously, and in any case not later than 30 days from the date of receipt of a certified copy of this order.