

**(2025) 12 UK CK 0030**

**Uttarakhand HC**

**Case No:** Writ Petition Miscellaneous Single No. 3474 Of 2025

Sadhna Agarwal And Ors.

APPELLANT

Vs

Sunil Kumar Agarwal

RESPONDENT

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**Date of Decision:** Dec. 16, 2025

**Acts Referred:**

- Constitution Of India, 1950 - Article 227

**Hon'ble Judges:** Pankaj Purohit, J

**Bench:** Single Bench

**Advocate:** Siddharth Jain

**Final Decision:** Dismissed

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### **Judgement**

Pankaj Purohit, J

1. By means of the present writ petition under Article 227 of the Constitution of India, petitioners-plaintiffs have sought the indulgence of this Court for a direction to learned Civil Judge (Sr. Div.), Almora, to decide the Suit No.07 of 2025 **Sadhna Agarwal and Ors. Vs. Sunil Kumar Agarwal**, pending before it, expeditiously within a period prescribed by this Court.

2. It is the main contention of the learned counsel for petitioners-plaintiffs annexing the order-sheet of the aforesaid Suit that so far eight adjournments have been taken by respondent-defendant for filing of the written statement and respondent-defendant is deliberately causing delay for the reason that the said Suit is filed by the petitioners-plaintiffs for partition.

3. Having heard learned counsel for petitioners-plaintiffs, this Court is of the view that since the Suit is filed in the year 2025 itself and written statement has yet not been filed by the respondent-defendant, no case is made out to interfere in the matter, rather, the petitioners-plaintiffs can seek the remedy available against the respondent-defendant for closure of his opportunity to file written statement before

the Court of law.

4. In view of the above, this Court doesn't want to interfere exercising its supervisory jurisdiction under Article 227 of the Constitution of India.

5. Accordingly, the present writ petition fails and is dismissed **in-limine**.