



-IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CMPMO No.660/2025

Date of Decision: 28th November, 2025.

Jyoti and Ors.

.....Petitioners

Versus

Sadhu Singh and Anr.

...Respondents

Coram

The Hon'ble Mr. Justice Bipin Chander Negi, Judge.

Whether approved for reporting?¹

For the Petitioners: Mr. Ganesh Barowalia, Advocate.

For the Respondent: Nemo.

Bipin Chander Negi, Judge (oral).

The present petition has been preferred seeking following reliefs:-

- (a) *Direct that the records of Civil Suit No.106-1-2021 be called for perusal by this Hon'ble Court.*
- (b) *Direct for expeditious disposal of the amendment application under Order 6 Rule 17 of the CPC, 1908 in CS No.106-1-2021.*
- (c) *Direct that a report in adjudicating Civil Suit No.106-1-2021, including adherence to procedural timelines, be called for from the concerned Court to facilitate effective supervision under Article 227 of the Constitution of India.*

2. The issue of fixing a time bound schedule for disposal of cases pending in any Court came up for



consideration before the Apex Court in Criminal Appeal No.3589 of 2023, titled High Court Bar Association, Allahabad Vs. State of UP and Ors (2024 (2) SCR 946 : 2024 INSC 150). The relevant extract whereof is being reproduced herein below:-

"32. Therefore, constitutional Courts should not normally fix a time-bound schedule for disposal of cases pending in any Court. The pattern of pendency of various categories of cases pending in every Court, including High Courts, is different. The situation at the grassroots level is better known to the judges of the concerned Courts. Therefore, the issue of giving out-of-turn priority to certain cases should be best left to the concerned Courts. The orders fixing the outer limit for the disposal of cases should be passed only in exceptional circumstances to meet extraordinary situations.

33. There is another important reason for adopting the said approach. Not every litigant can easily afford to file proceedings in the constitutional Courts. Those litigants who can afford to approach the constitutional Courts cannot be allowed to take undue advantage by getting an order directing out-of-turn disposal of their cases while all other litigants patiently wait in the queue for their turn to come. The Courts, superior in the judicial hierarchy, cannot interfere with the day-to-day functioning of the other Courts by directing that only certain cases should be decided out of turn within a time frame. In a sense, no Court of law is inferior to the other. This Court is not superior to the High Courts in the judicial hierarchy. Therefore, the Judges of the High Courts



should be allowed to set their priorities on a rational basis. Thus, as far as setting the outer limit is concerned, it should be best left to the concerned Courts unless there are very extraordinary circumstances.”

3. In view of aforesaid position of law, I see no reason to set timelines in the case at hand, therefore, the present petition is dismissed, so also the pending miscellaneous application(s), if any.

(Bipin Chander Negi)
Judge

28th November, 2025
(Gaurav Rawat)