

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 6415/2026

Anoop Jain S/o Shri Vinay Chand Jain, Age About 54 Years, R/o
Parshvanath Enclave, Bundi Road, Kunhari, Kota Rajasthan.

-----Petitioner

Versus

Jitendra Mitthanlal Avasthi S/o Shri Mitthanlal Avasthi, Aged
About 44 Years, R/o House No. 26, Gali No. 10, Poonam Colony,
Kota, Rajasthan.

-----Respondent

For Petitioner(s)	:	Mr. Anil Kumar Sharma
For Respondent(s)	:	

HON'BLE MR. JUSTICE MANEESH SHARMA
Order

04/05/2026

1. The present writ petition has been filed by the petitioner seeking direction to the learned Rent Tribunal to expeditiously dispose of the Eviction Petition No.121/2020.
2. Learned counsel for the petitioner submits that the Eviction Petition No. 121/2020 is pending since 2020, the service of the eviction petition is complete and reply to the said petition has already been filed, he therefore prays that the disposal of the said petition may kindly be expedited.
3. Heard and considered the submissions made by learned counsel for the petitioner and perused the material available on record.
4. The Hon'ble Apex Court in the case of ***Sangram Sadashiv Suryavanshi vs. State of Maharashtra***¹ while relying upon the constitutional Bench judgment of the Hon'ble Supreme Court in ***High Court Bar Association, Allahabad vs. State of U.P.***², has

deprecated the practice of Courts issuing directions to subordinate Courts to decide the matter within a timeline, the relevant extract of para 47.3 of **High Court Bar Association, Allahabad (Supra)** is reproduced as under:

"47.3. Constitutional courts, in the ordinary course, should refrain from fixing a time-bound schedule for the disposal of cases pending before any other courts. Constitutional courts may issue directions for the time-bound disposal of cases only in exceptional circumstances. The issue of prioritising the disposal of cases should be best left to the decision of the courts concerned where the cases are pending;"

5. In that view of the matter, this Court is not inclined to accept the argument advanced by learned counsel for the petitioner to issue a direction to the learned Rent Tribunal to decide the pending Eviction Petition No. 121/2020 expeditiously or within a particular time frame.

6. However, the learned Court concerned is expected to regulate its own procedure in respect of the cases on board for effective disposal and to ensure that the cases are disposed of expeditiously; while considering the year of institution, age of the parties concerned as well as the nature of the pleadings of the case; at the same time, it is expected that the learned Rent Tribunal will not entertain unnecessary and unwarranted requests for adjournment.

7. With the aforesaid direction, the present civil writ petition is disposed of.

8. All pending application(s), if any, shall stand disposed of.

(MANEESH SHARMA),J