

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 16568/2025

Mandir Narsingh Ji, 256, Purohit Pada Jaipur Through Shri Sachindra Mishra Son Of Late Shri Ramashankar Mishra Age 58, Address- 80/418, Agarwal Farm, Mansarovar, Jaipur.

-----Petitioner

Versus

1. G.k Children Academy, 256, Narsingh Ji Mandir, Near Hanuman Mandir, Purohit Pada, Bhramपुरi, Jaipur. Through Secretary
2. Mrs. Phool Shrivastav Alias Urmila Shrivastav Wife Of Late Shri Arjun Shrivastav, Care Of Shri Noor Mohammad, 547, Chini Ki Burj, Gangori Bazar, Choti Chaupar, Jaipur. 2nd Address- Mandir Narsingh Ji, 256, Purohit Pada Jaipur. 3rd Address- Care Of Shokat Khan, Plot No. 543, Pano Ka Chok, Bhramपुरi, Jaipur.
3. Mrs. Sonu Daughter Of Late Shri Arjun Shrivastav, Care Of Shri Noor Mohammad, 547, Chini Ki Burj, Gangori Bazar, Choti Chaupar, Jaipur.

-----Respondents

For Petitioner(s)	:	Mr. Iskandh Sharma
For Respondent(s)	:	

HON'BLE MR. JUSTICE MANEESH SHARMA

Order

10/11/2025

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. 386/2023.
2. Learned counsel for the petitioner submits that the eviction petition has been pending since 2023. Therefore, he prays that

the disposal of the Eviction Petition No. 386/2023 may kindly be expedited and disposed of within three months.

3. Heard and considered the submissions made at bar and perused the material available on record.

4. From a bare perusal of the order-sheets, it is reflected that the Eviction Petition was filed only in 2023, and the issues therein are yet to be framed.

5. 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 the Courts issuing directions to the 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;"

6. Further, this Court is in respectful agreement with the judgment of the High Court of Madras in **S. Baby Vs. S.Sakkubai Ammal**³, which re-iterated the principle of law laid down in the **High Court Bar Association, Allahabad** (Supra) where it was held as under:

"12. The practice of giving preference to any litigation without any justification at all circumstances to be avoided. Every litigant approaching the Court of Law is waiting for justice and thus, it must be done in a consistent manner and without discriminating the litigants. Therefore issuing directions indiscriminately for speedy disposal of cases would do no service to the cause of justice. Every urgency

1 2024 SCC OnLine SC 3526

2 2024 INSC 150

3 2023 SCC OnLine Mad 674

cannot be considered for issuing a direction for speedy disposal, and the urgency, which is imminent alone to be considered."

7. In that view of the matter, this Court is not inclined to issue a direction to the learned Rent Tribunal to decide the pending Eviction Petition No. 386/2023 within a time-bound manner.

8. The concerned Rent Tribunal 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 within a reasonable period of time; however, it is expected that the learned Rent Tribunal will not entertain unnecessary and unwarranted requests for adjournment.

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

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

(MANEESH SHARMA),J