

Case :- FIRST APPEAL FROM ORDER DEFECTIVE No. - 136 of 2024

Appellant :- Committee Of Management Anjuman Intezamia
Masajid Varanasi

Respondent :- Shailendra Kumar Pathak Vyas And Another

Counsel for Appellant :- Syed Ahmed Faizan

Hon'ble Rohit Ranjan Agarwal,J.

[Civil Misc. Exemption Application No. 02 of 2024]

1. Heard.
2. Exemption application is allowed.
3. Appellant is exempted from filing of certified copy as well as formal order of the impugned order dated 31.01.2024.

[Order on Appeal]

1. Heard Sri S.F.A. Naqvi, learned Senior Counsel, assisted by Sri Puneet Kumar Gupta, Sri S.A. Faizan, Sri Syed Mohd. Nawaz, Sri Mehdi Abbas, Sri Zaheer Asghar, Sri Afaq Ahmad, Ms. Fatima Anjum, Sri Akhlakh Ahmad, Sri Imran Ahmad, Sri Nawaz Ahmad Khan, Sri Munawwar Hussain, Sri Alam Mohammad, learned counsel for the appellant and Sri Vishnu Shankar Jain, Sri Prabhash Pandey, Sri Shaurya Krishna, Sri Pradeep Kumar Sharma, learned counsel appearing for respondent no. 1 as well as Sri Vineet Sankalp, learned counsel for respondent no. 2.

2. Sri Ajay Mishra, learned Advocate General, has put in appearance on behalf of State.

3. A preliminary objection has been raised from the plaintiff side as to the maintainability of appeal on the ground that the basic order dated 17.01.2024 has not been challenged.

4. Learned Senior Counsel appearing for the defendant appellant submits that he will be filing the amendment application amending the appeal and laying challenge to the order dated 17.01.2024 passed by the District Judge, Varanasi on the application moved by the plaintiff under Order 40 Rule 1 CPC.

5. On the joint request of parties, put up this matter, as fresh, on 06.02.2024.

VERDICTUM.IN

6. Learned Advocate General undertakes that law and order situation shall be maintained by the District Magistrate pursuant to the order passed by the District Judge, Varanasi.

Order Date :- 2.2.2024

Shekhar