

# Shishir Kumar Singh vs State Of U.P. And 3 Others on 1 May, 2025

HIGH COURT OF JUDICATURE AT ALLAHABAD

?Neutral Citation No. - 2025:AHC:69187

Court No. - 80

Case :- APPLICATION U/S 529 BNSS No. - 592 of 2025

Applicant :- Shishir Kumar Singh

Opposite Party :- State Of U.P. And 3 Others

Counsel for Applicant :- Devendra Pratap Singh,Rajesh Kumar Singh

Counsel for Opposite Party :- G.A.

Hon'ble Nalin Kumar Srivastava,J.

1. Supplementary affidavit filed today is taken on record.
2. This application under Section 529 BNSS has been filed with a prayer to direct the Sessions Judge, Jaunpur to prepone the hearing on the stay application filed in criminal revision no. nil of 2025 expeditiously and also restrain the opposite parties not to dispossess the applicant from the property in dispute in pursuance to the order dated 7.3.2025 passed by the Sub-Divisional Magistrate, Kerakat, Jaunpur in Case No. 4353 of 2024 under Section 145 CrPC and the order dated 7.3.2025 passed by the Sub-Division Magistrate, Kerakat, Jaunpur in case no. 1156 of 2025 under Section 164 of BNSS till disposal of the criminal revision. Further prayer has been made to stay the further proceedings of the said cases.
3. Heard learned counsel for the applicant as well as learned A.G.A. for the State.

4. It is submitted by the learned counsel for the applicant that the aforesaid criminal revision is pending before the Sessions Judge, Jaunpur and stay application was also moved by the applicant therein but no order has been passed by the trial court to stay the impugned proceedings. It is also submitted that the Court concerned is not taking proper interest in disposal of the said revision and stay application.

5. Learned AGA opposed the prayer.

6. I have considered the submissions and perused the record.

7. The applicant has made a prayer for expeditious disposal of the aforementioned criminal revision and stay application in a time bound manner. The Hon'ble Supreme Court in a recent judgement dated 29.2.2024 passed in the case of High Court Bar Association, Allahabad vs. State of U.P. and others, (2024) 6 SCC 267 has held as under :-

"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 concerned Courts where the cases are pending; and....."

8. Learned counsel for the applicant has not shown any exceptional circumstances to issue direction for time bound disposal of the said revision and stay application at this stage. However, in view of the aforesaid, the present application is disposed of with a direction to the court concerned to make all endeavours for expeditious disposal of the aforesaid criminal revision and also the stay application, if there is no legal impediment. It is further directed that no unnecessary adjournment will be sought/granted.

9. It is also made clear that the Court / Presiding Officer is not the only stake holder in the trial and disposal of a case, hence, besides the P.O. concerned, all the stake holders i.e. police and executive authorities, counsels, parties to the case, staff etc. are also made bound by this order and it will be their responsibility also to assist the Court in every manner for the expeditious disposal of this case.

10. With the above observations, the application stands disposed of.

Order Date :- 1.5.2025 safi