



2026:AHC-LKO:41961

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

MATTERS UNDER ARTICLE 227 No. - 3554 of 2026

Haleem

.....Petitioner(s)

Versus

Mateen

.....Respondent(s)

Counsel for Petitioner(s) : Sharad Nandan Ojha, Akhand
Pratap Singh

Counsel for Respondent(s) :

Court No. - 3

HON'BLE MANJIVE SHUKLA, J.

1. Heard Shri Sharad Nandan Ojha, learned counsel for the petitioner.
2. In view of the proposed order, issuance of notice to the sole respondent is hereby dispensed with.
3. The captioned writ petition has been filed by the petitioner, inter alia praying therein for the following relief(s):-

"i. to grant permission to the petitioner as provided U/S 29 of Act No. 13 of 1972 to repair the roof of the tenanted shop, as per requirement, partially damaged by opposite party creating hole of area measuring about 3-4 feet in dimension on 11.10.2025 situated at Khan Market Begum Ward in front of Falmandi gate, Kachahari road, Sadar, District Pratapgarh and also grant police force if required in the interest of justice.

ii. in alternate expedite the proceedings of Misc. Civil Case No. 674 of 2025, Haleem Versus Mateen pending before the Civil Judge Junior Division Sadar, Pratapgarh seeking permission for necessary repairs of the roof of the disputed shop which has been broken in the night of 11.10.2025 by the Opposite Party and his sons fixing some short date as early as possible in a time bound

manner which this Hon'ble Court deems just and proper in the facts and circumstances of the case.

iii. Any other order or direction which this Hon'ble Court may deem just and proper under the facts and circumstances of the case may also be kindly passed in the interest of justice."

4. It has been contended on behalf of the petitioner that he is a tenant in the shop in question and the respondent had broken roof of the said shop and is creating nuisance by throwing garbage and water in the shop of the petitioner. It has further been contended that in the aforesaid circumstances, petitioner has filed an application under Section 29 of the U.P. Act No. 13 of 1972 in the court of learned Civil Judge Junior Division, Sadar, District-Pratapgarh.

5. It has been argued on behalf of the petitioner that the application under Section 29 of the Act No. 13 of 1972 was filed on 12.12.2025 but till date said application has not been decided, which has resulted in serious difficulties to the petitioner as roof of the petitioner's shop is broken and therefore, there is every possibility that any person may take away the articles lying in the shop. He further submits that there is little urgency in the matter as it being rainy season, there is possibility that from broken portion of the roof water may come inside the shop and therefore, it is in the interest of justice that this Court may issue a direction to learned Civil Judge Junior Division, Sadar, District-Pratapgarh to here and decide the petitioner's application filed under Section 29 of the Act No. 13 of 1972, expeditiously in a fixed time frame.

6. I have considered the arguments advanced by learned counsel appearing for the petitioner and keeping in view that the roof of the petitioner's shop had been broken and there is possibility of theft of articles lying in his shop, I hereby **dispose of** this writ petition with a direction to learned Civil Judge Junior Division, Sadar, District-Pratapgarh to decide Misc. Civil Case No. 674 of 2025 (Haleem Versus Mateen) pending in his court since year 2025 expeditiously,

preferably within a period of three weeks from the date of presentation of a certified copy of this order, provided there is no legal impediment.

June 24, 2026
Satish

(Manjive Shukla,J.)