

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			WPMS No. 334 of 2022 <u>Hon'ble Sharad Kumar Sharma, J.</u> Mr. Anil K. Bisht, Advocate, for the petitioners. Mr. A.M. Saklani, Advocate, for respondent No.1. Ms. Archita Badoni, Advocate, holding brief of Mr. V.K. Kaparuwan, Advocate, for respondent No.2. By the impugned revisional order passed by the Board of Revenue, which has been preferred against the order which was passed under Section 229-D of the Zamindari Abolition Act, the Board of Revenue has passed the following orders :- “निगरानी स्वीकार की जाती है एवं इस क्रम में पक्षकारों को वादग्रस्त भूमि के अन्तरण अथवा तृतीय पक्ष का हित सृजित करने से निषिद्ध किया जाता है तथा वादग्रस्त भूमि पर मूल वाद के निस्तारण तक यथास्थिति बनाये रखने के आदेश दिये जाते हैं। आक्षेपित आदेश दिनांक 22.06.2021 जो न्यायालय आयुक्त गढ़वाल मण्डल पौड़ी द्वारा अपील संख्या -3 / 2020-21 बचन सिंह बनाम कुलबीर सिंह आदि एवं आदेश दिनांक 10.03.2021 जो न्यायालय सहायक कलेक्टर प्रथम श्रेणी बारहस्यू, जनपद पौड़ी वाद संख्या -1 / 2020-21 बचन सिंह बनाम कुलबीर सिंह आदि में पारित किये गये हैं , निरस्त किये जाते हैं। न्यायालय सहायक कलेक्टर प्रथम श्रेणी , बारहस्यू जनपद पौड़ी वाद संख्या 1/2020-21 बचन सिंह बनाम कुलबीर सिंह आदि का निस्तारण गुण - दोष के आधार पर स्वतंत्र रूप से 06 माह के अन्दर करना सुनिश्चित करें। पक्षकार दिनांक 18.01.2022 को विचारण न्यायालय में उपस्थित हों। विचारण न्यायालय एवं अपीलीय न्यायालय की पत्रावलिां इस आदेश की प्रमाणित प्रति के साथ वापस की जाये तथा इस न्यायालय की पत्रावली बाद मियाद अभिलेखागार में संचित हो।” The Board of Revenue while directing the parties to maintain the status quo qua the property, which is the subject matter of the proceedings under

			Section 176 of the U.P. Z.A. & L.R. Act, pending consideration to be decided by the Court of Assistant Collector as Case No. 1 of 2020-21, Bachan Singh Vs. Kulveer Singh and others, it has been directed the parties to maintain the status quo, and simultaneously, a direction has also been issued to the Assistant Collector to decide the suit within a period of six months from the date of the order. But since, the Writ Petition was preferred, and the same remained pending, the Writ Petition is hereby dismissed. Because the order impugned dated 28th December, 2021, does not at all prejudice the right of the present petitioner in any manner whatsoever. But, however, dismissing the Writ Petition and maintaining the direction issued by the order passed by the Board of Revenue, the time period granted by the Board of Revenue to the Court of Assistant Collector to decide the suit within a period of six months, the same would start running from today, and it is hoped and trusted that the Assistant Collector would decide the aforesaid Suit, i.e., Case No. 1 of 2020-21, Bachan Singh Vs. Kulveer Singh and others, within a period of six months from today. (Sharad Kumar Sharma, J.) Dated 24.08.2023 Shiv
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