

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 622 of 2023

Applicant :- Jangali

Opposite Party :- Shri Shubham Yadav, S.D.M.

Counsel for Applicant :- Shivdhesh Kumar Pandey

Hon'ble Rohit Ranjan Agarwal,J.

The writ Court on 24.12.2021 while disposing of Writ-C No. 34552 of 2021 had passed the following order:-

"Heard learned counsel for the petitioner, learned counsel for Gaon Sabha and the learned Standing Counsel for the State-respondents.

Present petition has been filed beseeching early disposal of Case No. 00265 of 2020, Computerized Case No. T-202002030900265 (Mahendra Kumar vs. Lalmani and Others) under Section 116 of the U.P. Revenue Code, 2006 pending before the Sub Divisional Magistrate, Koraon, District Prayagraj (Respondent no. 2).

It is submitted by the learned counsel for the petitioner that the petitioner has filed a suit for partition under Section 116 of the U.P. Revenue Code, 2006 which is pending protracted. Further submission is that under Rule 109 (10) of the U.P. Revenue Code Rules, 2016, it is provided that suit for partition should be decided within six months from the date of filing but unfortunately, aforesaid time has been elapsed. Parties have already appeared in the matter and the case is ready for final disposal.

Learned Standing Counsel has no objection, if a direction is issued to decide the aforesaid case, expeditiously.

In this conspectus as above, no useful purpose would be served to keep this matter pending. Therefore, this court deems it appropriate to finally dispose of the present writ petition, without making any observation on the merits of the case, as mentioned in the writ petition, with a direction to respondent no. 2 to decide the aforesaid case, strictly in accordance with law by means of a reasoned and speaking order, after affording opportunity of hearing to the parties concerned and without granting any unnecessary adjournments to either of the parties expeditiously, preferably, within a period of six months from the date of production of certified copy of this order.

With the aforesaid direction, this petition is finally disposed of."

Today, a compliance affidavit has been filed on behalf of opposite party wherein in para no. 6, it has been stated that order of writ Court has been complied with and partition suit has been decided

on 10.10.2023. Copy of which has been brought on record as Annexure-1 to compliance affidavit.

In view of said fact, as the order of writ Court has been complied with, the contempt application is rendered infructuous and the same stands dismissed.

Contempt notice stands discharged.

Order Date :- 12.10.2023

V.S.Singh