

Court No. - 51

Case :- WRIT - C No. - 24345 of 2023

Petitioner :- Bechan

Respondent :- State Of U.P. And 10 Others

Counsel for Petitioner :- Mukul Yadav,Rajesh Yadav

Counsel for Respondent :- C.S.C.,Bhupendra Kumar Tripathi

Hon'ble Chandra Kumar Rai,J.

1. Heard Mr. Rajesh Yadav, learned counsel for the petitioner, learned Standing Counsel for the State-respondents and Mr. Bhupendra Kumar Tripathi, learned counsel for the respondent- Gaon Sabha.

2. Learned counsel for the petitioner submitted that after filing of the writ petition, appeal under Section 24 (4) of U.P. Revenue Code, 2006 has been filed by private respondent being Appeal No.1236 of 2023, Computerized Case No.C202314000001236 (Ravindra and Others vs. Bechan and Others), under Section 24 (4) of U.P. Revenue Code, 2006, which is pending before the Additional Commissioner, Judicial Second, Varanasi Division, Varanasi. He further submitted that vide order dated 9.8.2023, appeal has been admitted and operation of the order dated 12.6.2023 has been stayed by the Additional Commissioner.

3. In view of the pendency of the aforementioned appeal as well as the grant of interim order, it will be appropriate that pending appeal be decided in accordance with law and thereafter the prayer for implementation of the order dated 12.6.2023 will be considered.

4. Considering the entire facts and circumstances of the case, the instant petition is finally disposed of directing Additional Commissioner, Judicial Second, Varanasi Division, Varanasi to decide the aforementioned Appeal No.1236 of 2023, Computerized Case No.C202314000001236 (Ravindra and Others vs. Bechan and Others), under Section 24 (4) of U.P. Revenue Code, 2006 in accordance with law after affording proper opportunity of hearing to the parties, expeditiously preferably within a period of three months from the date of production of certified copy of this order before him.

5. It is made clear that this Court has not expressed any opinion on the merits of the case.

Order Date :- 12.10.2023

Rameez