

Court No. - 51

Case :- WRIT - C No. - 25303 of 2023

Petitioner :- Smt.Kusum Yadav And Another

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Bhola Nath Yadav,Abhishek Kumar Yadav

Counsel for Respondent :- C.S.C.

Hon'ble Chandra Kumar Rai,J.

1.Heard Mr. Bhola Nath Yadav, learned counsel for the petitioners and Mr. Abhishek Shukla, learned Additional Chief Standing Counsel for the State-respondents.

2. On 26.10.2023 and 29.11.2023 following orders have been passed by this Court:

26.10.2023

"1.In compliance of the order dated 08.08.2023/ 28.08.2023 instruction dated 11.09.2023 has been placed before this Court by Mr. Ravi Singh Parihar, learned Standing Counsel for the State-respondents, which is taken on record.

2. Mr. Ravi Singh Parihar, learned Standing Counsel for the State respondents on the basis of the instruction submitted that plot Nos.11, 12, 16, 18 and 19 of Khata No.47 belongs to Keshav Lal son of Sant Lal and Gata No.15 of Khata No.97 is recorded in 1426-1431 fasli in the name of petitioner No.1 (Kusum Yadav wife of K.S. Yadav @ Keshav Lal). He further submitted that proceeding under Section 24 of U.P. Revenue Code, 2006 has been initiated at the instance of the petitioners, which is pending before the Sub Divisional Officer, Phoolpur, District-Prayagraj.

3. In view of the facts mentioned in the instruction, learned counsel for the petitioners is directed to file reply to the facts mentioned in the instruction dated 11.09.2023 within two weeks.

4. Put up this matter as fresh on 21.11.2023.

5. Learned Standing Counsel for the State-respondents shall serve copy of the instruction upon learned counsel for the petitioners, during course of the day.

29.11.2023

"1. Mr. Mridul Kumar, learned Standing Counsel for the State-respondents shall obtain further instruction within two weeks about the particulars of the proceeding, which is pending under Section 24 of U.P. Revenue Code, 2006 as number of case under Section 24 of U.P. Revenue Code, 2006 is not mentioned in the earlier instruction dated 11.09.2023.

2.Put up this matter as fresh on 14.12.2023."

3. Learned counsel for the petitioners submitted that case number, which has been registered under Section 24 of U.P. Revenue Code is Case No.219 of 2023 (Keshhave Singh Yadav vs. Gaon Sabha).

4.In view of the aforementioned facts and circumstances of this case, **the instant writ petition is finally disposed of** directing respondent No.3/Sub Divisional Magistrate, Tehsil-Phoolpur, District-Prayagraj to decide the case No. 219 of 2023 under Section 24 of U.P. Revenue Code, 2006 in accordance with law expeditiously and preferably within a period of **three months** from the date of production of certified copy of this order after giving opportunity of hearing to the parties concerned and without granting unnecessary adjournments to either of the parties.

Order Date :- 14.12.2023

PS*