

Court No. - 6

Case :- WRIT - C No. - 27381 of 2023

Petitioner :- Priyanka Devi

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Umesh Kumar Pal, R.B. Pal

Counsel for Respondent :- C.S.C., R S Dubey

Hon'ble Mrs. Manju Rani Chauhan, J.

Heard Mr. Umesh Kumar Pal, learned counsel for the petitioner and learned Standing Counsel for the State-respondents.

This writ petition has been filed by the petitioner with the following prayer:-

"(a) Issue a writ, order or direction in the nature of certiorari to quash the order dated 18.06.2023 passed by respondent no.3 and consequential order dated 22.06.2023 passed by District Magistrate, Deoria by which the candidature of the petitioner is rejected by the respondent no.3 under Section 12C of U.P. Panchayat Raj Act, 1947.

(b) Issue a writ, order or direction in the nature of mandamus commanding the respondent authorities not interfere in the peaceful working of the petitioner as Gram Pradhan of the concerned village and not deprived to the petitioner from her constitutional/statutory right/benefit of the schedule Tribe Caste.

(c) issue a writ, order or direction in the nature of mandamus commanding the respondent no.2 to decide the civil revision no.45 of 2023 (Priyanka vs. Kajan and others) alongwith stay application (6-C) within stipulated period fixed by this Court.

....."

Learned counsel for the petitioner submits that the revision alongwith stay application has been filed challenging the order dated 15.06.2023. During pendency of the revision, the authorities have proceeded to pass the order impugned. Learned counsel for the petitioner has confined his prayer to the extent that the revision as well as stay application may be decided within stipulated period.

Learned Standing Counsel could not dispute the aforesaid fact.

I have very carefully examined the submissions made by the

learned counsel for the parties and perused the impugned order as well as the other materials brought on record.

Considering the facts and circumstances of the case, without expressing any opinion on the merits of the case, this writ petition is finally **disposed of** with a direction to the revisional authority; respondent no.2 to decide the stay application of the petitioner, in accordance with law, preferably, within a period of one month from today. It is further directed to the respondent no.2 to decide the revision of the petitioner, after giving opportunity of hearing to all the parties, by a reasoned and speaking order, in accordance with law, preferably, within a period of four months from the production of certified copy of this order, if there is no other legal impediment.

Order Date :- 19.10.2023

Jitendra/-