

Court No. - 49

Case :- WRIT - B No. - 3285 of 2023

Petitioner :- Jooha Devi

Respondent :- State Of U.P. And 7 Others

Counsel for Petitioner :- Devbratt Yadav, Ram Pratap Yadav

Counsel for Respondent :- C.S.C, Rameshwar Prasad Shukla

Hon'ble Syed Qamar Hasan Rizvi, J.

1. Heard Sri Aakash Yadav holding brief of Shri Ram Pratap Yadav, learned counsel for the petitioner, Sri Dharam Prakash Misra, learned Standing Counsel representing respondent nos. 1 to 7 and perused the record.

2. Notice on behalf of respondent No. 8 has been accepted by Shri Rameshwar Prasad Shukla, learned counsel for the Gaon Sabha.

2. The instant writ petition has been filed, inter alia, for the following relief:

"(i) Issue a writ, order or direction in the nature of mandamus commanding the Board of Revenue U.P. at Prayagraj to decide the Revision filed by the petitioner under Section 333 of U.P.Z.A. & L.R. Act read with Section 210 of U.P. Revenue Code, 2006 being Revision No. REV/85/2023, Computerized Case No. AL202315060085 (Jooha Devi vs. State) in time frame without any further delay, and till the disposal of the Revision aforesaid status quo in regard to the entries may be directed to be maintained by the respondents authorities in the better interest of justice."

3. Learned counsel for the petitioner submits that the aforesaid case is pending for disposal before the respondent no. 2 Board of Revenue U.P. at Prayagraj.

4. Sub Rule 4 of Rule 183 of U.P. Revenue Code Rules, 2016 provides as under:

"The appellate or the revisional Court shall, endeavour to finally decide the appeal or revision, as the case may be, within a period of six months from the date of filing the appeal or revision and if the appeal or revision is not decided within the aforesaid period, the reason for the same shall be recorded."

5. Since, there is a clear legislative mandate that if proceedings are not concluded within the period of time as provided under the

aforesaid provision, reasons for the same shall be recorded.

6. Learned Standing Counsel submits that he has no objection to the extent that a direction is issued by this Court for expeditious disposal of the above mentioned case, within stipulated period as fixed by this Court.

7. Accordingly, without advertng on merits of the case and with the consent of the parties, this Court deems it appropriate to finally dispose of the present writ petition, with a direction to Board of Revenue U.P. at Prayagraj (respondent no. 2) before whom the Revision No. REV/85/2023, Computerized Case No. AL202315060085 (Jooha Devi vs. State) is pending for disposal, to decide the same strictly in accordance with law, by a reasoned and speaking order on merit, after affording opportunity of hearing to the parties concerned, expeditiously and preferably within a period of six months from the date of receipt of a certified copy of this order, unless there is any other legal impediment. It is further directed that no unnecessary adjournments be granted to either of the parties.

8. With the aforesaid direction, the present writ petition is disposed of.

Order Date :- 31.10.2023

Sumaira