

Court No. - 49

Case :- WRIT - B No. - 3631 of 2023

Petitioner :- Raisa Begum

Respondent :- Board Of Revenue And 6 Others

Counsel for Petitioner :- Sumit Goyal

Counsel for Respondent :- C.S.C.

Hon'ble Syed Qamar Hasan Rizvi,J.

Heard Sri Sumit Goyal, learned counsel for the petitioner, Sri T.P. Gupta, learned Standing Counsel representing the respondent Nos. 1 and 2 and perused the record.

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 and directing the Board of Revenue Lucknow Uttar Pradesh (respondent No. 1) the review matter (case no. REV/1403/2019/Saharanpur), Original Case No. REV/18/1977-1978, computerized case No. R20190960001403(Tauhid Khan and others vs. Raisa Begum) U/S 220 Land Revenue Act, pending before Ld. Board of Revenue before Review Bench no. 3 may kindly be ordered to be decided as early as possible within a fixed time frame."

The contention of the learned counsel for the petitioner is that due to the pendency of the revision, the petitioner, who is respondent in revision proceedings is facing undue hardship.

Para 459 of U.P. Revenue Court Manual provides as under:

"459. Expeditious disposal of review- The Court shall endeavour to finally decide the review application within a period of Ninety days from the date of filing it and if the review application is not decided within the said period, the reason for the same shall be recorded."

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.

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.

In view of the nature of the order proposed to be passed, the service of notice upon the respondent Nos. 3 to 7 is dispensed with.

Taking into consideration the facts and circumstances of the case, this Court is of the view that no useful purpose would be served in keeping this writ petition pending.

Accordingly, without advertent 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 Lucknow, U.P. (respondent No. 1), before whom the aforementioned matter is pending for disposal, to decide the review matter (case no. REV/1403/2019/Saharanpur), Original Case No. REV/18/1977-1978, computerized case No. R20190960001403 (Tauhid Khan and others vs. Raisa Begum) U/S 220 Land Revenue Act,, 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 three months from the date of receipt of a certified copy of this order, unless there is any legal impediment. It is further directed that no unnecessary adjournments will be granted to either of the parties.

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

Order Date :- 27.10.2023

Sumaira