

Court No. - 49

Case :- WRIT - B No. - 3798 of 2023

Petitioner :- Ishwar Das

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

Counsel for Petitioner :- Mahendra Pratap Yadav

Counsel for Respondent :- C.S.C.,Deepak Gaur

Hon'ble Syed Qamar Hasan Rizvi,J.

1. Heard Sri Mahendra Pratap Yadav, learned counsel for the petitioner, Sri T.P. Gupta, learned Standing Counsel representing respondent Nos. 1 and 2 and Sri Deepak Gaur, learned counsel for Gram Sabha / respondent No. 4 and perused the record.

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 (Allahabad) (respondent no. 2) to decide the case/Revision No. 2242/2022, Computerized Case No. AL20220635002242 (Gayatri Devi Vs. Ishwar Das and others) under Section 210 of U.P. Revenue Code, 2006, pending in his court expeditiously preferably within the stipulated period as prescribed by this Hon'ble Court."

3. The contention of the learned counsel for the petitioner is that the petitioner is the respondent in the pending revision before the learned Board of Revenue, U.P. at Prayagraj (respondent no. 2) since 10.08.2022. He submits that because of the pendency of the revision, the petitioner is facing hardship and as such the disposal of the revision may be expedited in the interest of justice.

4. Sub-rule 4 of Rule 183 of U.P. Revenue Code, 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. 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. In view of the nature of the order proposed to be passed, the service of notice upon the respondent No. 3 is dispensed with.

8. 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.

9. 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 (Allahabad) (respondent no. 2), before whom the aforementioned matter is pending for disposal, to decide the case/Revision No. 2242/2022, Computerized Case No. AL20220635002242 (Gayatri Devi Vs. Ishwar Das and others) under Section 210 of U.P. Revenue Code, 2006, 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 legal impediment. It is further directed that no unnecessary adjournments will be granted to either of the parties.

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

Order Date :- 9.11.2023

Anjali