

Court No. - 49

Case :- WRIT - B No. - 3893 of 2023

Petitioner :- Mangru Pasi

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

Counsel for Petitioner :- Pramod Kumar Pandey

Counsel for Respondent :- C.S.C, Bhupendra Kumar Tripathi

Hon'ble Syed Qamar Hasan Rizvi, J.

1. Heard Sri P.K. Pandey, learned counsel for the petitioner, Sri Awadhesh Kumar Patel, learned Standing Counsel representing the respondents 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 directing the respondent no.2 to decide the Case/Revision No. 2910 of 2022 (Computerized Case No. AL20221429002910) (Mangru Pasi vs. State of U.P. and others) under Section 210 of U.P. Revenue Code, 2006 (Annexure No. 12) within a specified period.

(ii) Issue a writ, order or direction in the nature of mandamus directing the respondent no. 2 to extent the interim order dated 2.11.2022 till the disposal of the aforesaid revision of the petitioner in the interest of justice."

3. Learned counsel for the petitioner submits that the petitioner has filed a revision against the judgment and order dated 23.7.2022 passed in the Case bearing No. RST/31/2015, Computerized Case No. D202114290001725 (Mangru vs. Ramesh) along with an application for interim relief and this Court vide order dated 2.11.2022 granted an interim relief in favour of the petitioner. Contention of learned counsel for the petitioner is that the above mentioned interim order has never been vacated by the learned Board of Revenue (respondent No. 2).

4. Prayer has been made by the learned counsel for the petitioner for a direction to the respondent No. 2 to expeditiously decide the above noted case.

5. 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.

6. 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."

7. 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.

8. In view of the nature of order proposed to be passed, the service of notice upon the respondent no. 5 is dispensed with.

9. 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.

10. 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, U.P. at Prayagraj (respondent no. 2) before whom the *Case/Revision No. 2910 of 2022* (Computerized Case No. AL20221429002910) (*Mangru Pasi vs. State of U.P. and others*) under Section 210 of U.P. Revenue Code, 2006 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.

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

Order Date :- 23.11.2023/Sumaira