

Court No. - 49

Case :- WRIT - B No. - 3876 of 2023

Petitioner :- Satynarayan Patel

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

Counsel for Petitioner :- Sudhir Kumar Srivastava

Counsel for Respondent :- C.S.C.

Hon'ble Syed Qamar Hasan Rizvi, J.

1. Heard Shri Sudhir Kumar Srivastava, learned counsel for petitioner and Shri Ansul Nigam, learned Standing Counsel for respondent nos. 1& 2 and perused the record.

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

"(i) Issue, a writ, order or direction in the nature of certiorari quashing the order dated 30.09.2020, passed by learned Board of Revenue U.P. at Allahabad in the Revision No. 2544 of 2018 (Raghunath Vs. Sub Divisional Magistrate and others), Village- Adampur, Pergana Kaswar Sarkari, Post & Tehsil- Rajatalab, District Varanasi, within stipulated time."

3. The submission of learned counsel for petitioner is that in the Revision No. 2544/2018, the learned Board of Revenue vide order dated 30.09.2020, has passed an interim order directing the parties to maintain the status quo. He submits that the said order has been passed without affording any opportunity of hearing to the petitioner. After arguing the matter at some length, learned counsel for the petitioner submits that at this stage, he only prays for a liberty to be granted to the petitioner to move an application for vacation of the interim order dated 30.09.2020, with a further prayer to direct the Board of Revenue to pass appropriate order on the said application.

4. Learned Standing Counsel submits that he has no objection in case such liberty is granted to the petitioner.

5. 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.

6. Accordingly, without advertng on merits of the case, with the consent of learned counsel for the parties, this Court deems it

appropriate to finally disposed of the present writ petition with liberty granted to the petitioner to move an application for vacation of the order dated 30.09.2020, before the learned Board of Revenue (respondent no. 2) within a period of one week in the Revision No. 2544/2018, Computer Case No. AL20181470002544 (Raghunath Vs. Sub Divisional Magistrate).

7. It is further provided that in case any such application for vacation of interim order dated 30.09.2020 is moved by the petitioner within the aforesaid period of time, the same shall be considered and decided by the learned Board of Revenue on the next date fixed in the matter or within a period of one month thereafter.

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

Order Date :- 22.11.2023

Sharad/-