

Court No. - 4

Case :- MATTERS UNDER ARTICLE 227 No. - 12108 of 2023

Petitioner :- Smt. Rita Rani

Respondent :- Smt. Sarita And 4 Others

Counsel for Petitioner :- Rekha Pundir,Ramesh Pundir

Hon'ble Prakash Padia,J.

1. Heard Shri Ramesh Pundir, learned counsel for the petitioner.
2. Considering the nature of the order proposed to be passed notice upon the private respondents is hereby dispensed with.
3. Present petition, under Article 227 of the Constitution of India, has been filed seeking direction to the Additional District Judge/F.T.C.-I, Bijnore, to conclude the proceeding of Civil Revision No. 61 of 2023 (Smt. Rita Rani Vs. Smt. Sarita and Others) within the stipulated time frame fixed by this Court.
4. Learned counsel for the petitioner contends that the petitioner had filed an election petition, being Election Petition No.01900 of 2021, under Section 12-C of U.P. Panchayati Raj Act, 1947, before the Prescribed Authority/S.D.M., Tehsil Bijnore. The said election petition came to be dismissed by order of the Prescribed Authority dated 10.4.2023. Against the order dated 10.4.2023, the petitioner has preferred a civil revision under Section 12-C (6) of the U.P. Panchayati Raj Act, 1947, before the District Judge, Bijnore, on 15.4.2023. The revision had been entertained and dates are being fixed therein.
5. Learned Counsel for the petitioner submits that opposite party, whose election has been challenged, has already put in appearance in the proceedings and has also filed objection. He submits that once the opposite party has already appeared in the proceedings, direction can be issued to the revisional court to conclude the proceedings of the civil revision within the time frame fixed by this Court.
6. Learned Counsel for the petitioner has also invited the attention of this Court to the order-sheet of the proceedings, annexed as Annexure-4 to the petition. From the orders passed by the revisional court, it is borne out that the revision is being fixed for

hearing on various date but neither the hearing is taking place nor the proceedings are being brought to its logical end.

7. Having heard learned Counsel for the petitioner and having perused the record, this Court is of the opinion that the petition can be disposed of by directing for expeditious disposal of the civil revision.

8. Accordingly, this petition is ***disposed of*** by requiring the Additional District Judge/F.T.C.-I, Bijnore, seized with Civil Revision No. 61 of 2023 (Smt. Rita Rani Vs. Smt. Sarita and Others) to consider and decide the case expeditiously, preferably within a period of 3 months, from the date of production of certified copy of order of this Court, strictly in accordance with law.

Order Date :- 5.12.2023

Vikram