

Court No. - 51

Case :- WRIT - C No. - 41683 of 2023

Petitioner :- Achchey Lal

Respondent :- State Of U.P. And 12 Others

Counsel for Petitioner :- Om Prakash Pandey

Counsel for Respondent :- C.S.C., Sudhir Bharti

Hon'ble Chandra Kumar Rai, J.

1. Heard learned counsel for the petitioner, Mr. Om Prakash Sharma, learned Additional Chief Standing Counsel for the State respondents and Mr. Sudhir Bharti, learned counsel for the Gaon Sabha.
2. The instant writ petition has been filed praying for a mandamus directing respondent No. 2-Commissioner, Gorakhpur Division Gorakhpur to decide the Maintainability Application dated 12.9.2022/23.9.2022 (Annexure No. 3 to the writ petition) filed against the revision No. 1488 of 2022, Computerized Case No. C-202205000001488 (Rampatia and others Vs. Natthu and others), expeditiously.
3. Counsel for the petitioner submitted that in revision filed by contesting respondent, petitioner has filed an application regarding maintainability of the pending revision which are pending before the revisional court. He further placed copy of the applications filed on behalf of the petitioner as well as the ordersheet of the proceeding, which has been annexed along with the writ petition.
4. Considering the facts and circumstances of the case, without expressing any opinion on the merits of the issue, the present petition stands **disposed of** finally with a direction to respondent No. 2-Commissioner, Gorakhpur Division Gorakhpur to consider and decide the aforementioned case in accordance with law expeditiously and preferably within a period of three months from the date of production of certified copy of this order after giving opportunity of hearing to the parties concerned and without granting unnecessary adjournments to either of the parties.
5. It is made clear that revisional court shall decide the aforementioned applications regarding maintainability first before deciding the revision on merit.

Order Date :- 4.12.2023/S.A.