

Court No. - 21

Case :- MATTERS UNDER ARTICLE 227 No. - 3216 of 2023

Petitioner :- Ram Kishor Pandey

Respondent :- Sub Divisional Officer Tehsil- Ramsanehighat
Distt- Barabanki And 4 Others

Counsel for Petitioner :- Rameshwar Tiwari, Diwakar Pratap
Pandey

Counsel for Respondent :- C.S.C., Mohan Singh

Hon'ble Dinesh Pathak, J.

Heard learned counsel for the petitioner, learned standing counsel representing respondent No. 1, learned counsel for the Gaon Sabha and perused the record.

Instant writ petition has been filed, *inter alia*, for the following relief:

"(i) Issue a direction for expedite disposal of Case No. T201904120203616 Krishnanand Versus Ram Kishor & others filed by the opposite party No.2 in respect of Gata No. 366/0.100 hectare under section 116 U.P Revenue Code-2006 situated in Village-Bhanpur Pergana -Suryapur Tehsil -Ramsanehighat District-Barabanki within short and reasonable period prescribed by this Hon'ble court in the interest of justice.

(ii) Issue such other order or direction as Hon'ble court may deemed just and proper in the fact and circumstances of the case."

It is submitted that suit for partition under Section 116 is pending since 21.11.2019 despite the fact that the statutory period for deciding the aforesaid suit as enunciated under Rule 109 sub-rule 10 of the U.P. Revenue Code Rules, 2016 has already been expired.

Learned Standing Counsel as well as learned counsel for Gaon Sabha have no objection, in case, a direction is issued for early disposal of the case.

In this conspectus, as above, no useful purpose would be served to keep this matter pending, therefore, this Court deems it appropriate to finally dispose of the present writ petition, without making any observation on the merits of the case as

mentioned in the present writ petition, with a direction to Sub Divisional Officer, Tehsil- Ramsanehighat (respondent No.1), before whom the aforementioned matter is pending disposal, to decide the same expeditiously, preferably, within a period of six months from the date of receipt of a certified copy of this order.

It is expected that it should be decided by a reasoned and speaking order, in accordance with law, after affording opportunity of hearing to the parties concerned without granting unnecessary adjournments to either of the parties.

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

Order Date :- 31.5.2023

Saurabh Yadav/-