

Court No. - 3

Case :- MATTERS UNDER ARTICLE 227 No. - 3323 of 2023

Petitioner :- Badlu @ Jeevanlal And 4 Others

Respondent :- Sub Divisional Magistrate Vishwa Distt. Sitapur
And Another

Counsel for Petitioner :- Dinesh Kumar Mishra

Counsel for Respondent :- C.S.C.

Hon'ble Subhash Chandra Sharma,J.

Heard learned counsel for the petitioners, learned C.S.C. for the State and perused the record.

The present petition has been moved by the petitioners with prayer to issue a direction while directing the opposite party no. 1 to decide the recall application dated 23.6.2023 in Case No. 4844 u/s 24 of U.P. Revenue Code, 2006 (Krishna Devi Vs. Madhvram and others).

It is submitted by learned counsel for the petitioners that an application for demarcation of land in dispute was filed by the opposite party no. 2 on which order for demarcation was passed on 17.3.2021, in pursuance of which on 21.6.2023 the demarcation was decided to be done which was objected by the petitioners and an application for recall of order dated 17.3.2021 was filed before the learned court on 23.6.2023 on which order was passed by the Sub Divisional Magistrate on 26.6.2023 to put up the application with original record but recall application could not be decided, therefore, request to direct the learned Revenue Court to decide the recall application.

Considering the facts and circumstances of the case, submissions made by learned counsel for the petitioner, it is expedient to direct the opposite party no. 1 to decide the recall application first within a period of 15 days from the date of production of certified copy of this order before him and then to proceed for demarcation.

Accordingly, the present petition is ***disposed of*** finally.

Order Date :- 30.6.2023

A. Singh