

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5140 of 2023

Petitioner :- Harivansh And Another

Respondent :- District Magistrate, Sultanpur And 8 Others

Counsel for Petitioner :- Rajesh Kumar Shukla

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

Hon'ble Saurabh Lavania, J.

Heard learned counsel for the parties.

In view of order proposed to be passed, issuance of notice to the private-respondent(s) is hereby dispensed with.

By means of this petition, the petitioner seeks expeditious disposal of Case No. T202304680403790 (Harivansh vs. Village Panchayat and others), filed under Section 24 of the U.P. Revenue Code, 2006, which is pending before the respondent No.2/Up Ziladhikari, Kadipur, District Sultanpur.

It is stated that as per Section 24(3) of the U.P. Revenue Code, 2006 read with U.P. Revenue Code Rules, 2016, the demarcation proceedings, being summary in nature, should preferably be decided within a period of three months, however, in the instant case, the application for demarcation has not been decided till date, which is pending since 2022 and on account of pendency of the aforesaid case, petitioners are suffering great hardship and mental agony. In these circumstances, indulgence of this Court is required.

Learned State counsel submits that he has no objection in case an expedite order is passed.

Considering the facts and circumstances of the case, this Court is of the view that no fruitful purpose will be served in keeping this petition pending. Accordingly, this petition is disposed of with a direction to the respondent No. 2 to consider and decide the Case No. T202304680403790 (Harivansh vs. Village Panchayat and others) most expeditiously after affording full opportunity of hearing to the parties to the litigation and without granting any unnecessary adjournment to either party preferably within a period of three months from the next date fixed in the case, if possible and if there is no other legal impediment in this regard.

It is made clear that this Court has not examined the case of either party on merits and the Authority concerned shall be free to decide the matter strictly in accordance with law.

It is also made clear that if the petitioners fail to appear before the Authority concerned on the next date fixed in the case, benefit of this order shall be available to them.

With the aforesaid, the petition is ***disposed of***.

Order Date :- 11.10.2023

Arun/-