

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5291 of 2023

Petitioner :- Abdul Samad

Respondent :- Board Of Revenue,U.P., Lucknow Thru. Chairman And 3 Others

Counsel for Petitioner :- Maya Ram Yadav,Dinesh Kumar

Counsel for Respondent :- C.S.C.,Pankaj Gupta

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-respondents is hereby dispensed with.

By means of this petition, the petitioner has sought the following main relief:-

"(i) Direct the Opposite Party No. 1 i.e. Board of Revenue Uttar Pradesh Lucknow to decide the Review/case No. 272/2023 connected with case No. REV/791/2019 bearing computerized case No. R2023171400272; Abdul Samad Vs. Iesha Rizavi Manager, Madarassa Darul Uloom Ahle Sunnat, Gulsan Raza, Under Section 211 of U.P. Revenue code 2006 expeditiously as this Hon'ble Court may deemed fit which is pending before Opposite Party No. 1 since 2023 (contained in Annexure No.1), in the interest of justice."

Considering the fact that the review petition preferred under Section 211 of U.P. Revenue Code, 2006 (in short "Code of 2006") in relation to order dated 13.12.2022 before the respondent No. 1/Board of Revenue at Lucknow is pending till date and as per para 459 of U.P. Revenue Court Manual, a review petition should preferably be decided within a period of 90 days, this Court is of the view that indulgence of this Court is required in the matter.

Accordingly, this petition is disposed of with a direction to the respondent No.1/Board of Revenue at Lucknow to consider and decide the Review/Case No. 272/2023 connected with Case No. REV/791/2019, Computerized Case No. R2023171400272 most expeditiously after affording full opportunity of hearing to the parties to the litigation and without granting any 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 the 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.

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

Order Date :- 17.10.2023

Arun/-