

Court No. - 6

Case :- WRIT - B No. - 895 of 2023

Petitioner :- Smt. Kamla And 4 Others

Respondent :- Board Or Revenue Lko. Thru. Its Chairman And 4 Others

Counsel for Petitioner :- Shiv Kumar

Counsel for Respondent :- C.S.C.,Subhash Chandra Pandey,Vaibhav Shukla

Hon'ble Rajnish Kumar,J.

Heard Sri Shiv Kumar learned counsel for the petitioners, Sri Vaibhav Shukla learned counsel for the opposite party no.5 and learned Standing counsel is present for opposite party no.1.

Learned counsel for the opposite party no.5 raised a preliminary objection that a review of the impugned order dated 13.09.2023 passed by the Board of Revenue in Revision no.2095 of 2018 has been filed by the opposite party no.6, therefore, this petition, at this stage is not maintainable because the petitioners have challenged the impugned order dated 13.09.2023 with the prayers that the revision filed by the opposite party nos.6 has been rejected in cursory manner without considering the material facts of the case and the order dated 23.08.2018 on the revision of the opposite party no.5 has been passed without considering the genuine claim of the opposite party no.6. As such the petitioners want determination of the rights and claims of opposite party no.6 in this petition who himself has filed Review Application No.2660 of 2023 (Bhupendra Vikram Singh vs Ajeet Singh) before Board of Revenue for review of order dated 13.09.2023, in which the notices have been issued on 03.10.2023 fixing 21.11.2023.

Learned counsel for the petitioners prays for and is granted three days time to seek instructions and verify it.

List on 17.10.2023 in top 20 cases.

Subsequently, before rising and signing the above order, learned counsel for the petitioner appeared alongwith learned counsel for the opposite party no.5 and submitted that this petition may be dismissed as not pressed with liberty to contest the review filed by the opposite party no.6 before the Board of Revenue. To which there is no objection by the opposite party no.5 and learned Standing Counsel.

In view of above, this petition is **dismissed** as not pressed with liberty as aforesaid.

(Rajnish Kumar, J.)

Order Date :- 12.10.2023
Harshita/Haseen U.