

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5556 of 2023

Petitioner :- Chandreshwar Prasad Mishra

Respondent :- State Of U.P. Thru. Collector, Ayodhya And Others

Counsel for Petitioner :- Rajeev Narayan Pandey, Vineet Kumar Verma

Counsel for Respondent :- C.S.C., Dilip Kumar Pandey

Hon'ble Saurabh Lavania, J.

1. Heard.
2. In view of the order proposed to be passed by this Court, notice to the private-respondent(s) is dispensed with.
3. Notice on behalf of opposite party Nos.1 and 2 has been accepted by the Office of learned Chief Standing Counsel and notice on behalf of respondent no. 13 has been accepted by Sri Mohan Singh, Advocate.
4. Present petition has been filed for following main relief:

"I. To issuing a order or direction, directing the to the Sub- Divisional Officer, Sohawal, Ayodhya i.e. Respondent no. 2 to expeditiously decide the stay application filed in Regular Suit no. 3578 of 2023 (Chandrashwar Prasad Mishra Versus Jagannath and others) filed by the petitioner, under section 144 of U. P. Revenue Code 2006 before the Sub- Divisional Officer, Sohawal, Ayodhya i.e. Respondent no. 2.

II. To issue a order or direction, directing to the private respondents to the effect that petitioner may not be dispossessed from the land in question i.e. plot no. 216 area 1.1780 hectare, plot no. 356 area 1.3070 hectare of khata no. 108 pertaining to khatauni of 1415-1420 fasli and plot no. 67ka area 0.0110 hectare and plot no. 187 area 0.0630 hectare of khata no. 109 pertaining to khatauni of 1415-1420 fasli situated in Village-Ragghupur, Pergana-Haveli Avadh, Tehsil-Sohawal, Distt.-Faizabad (Now Ayodhya) and parties maintain status quo on the gatas/lands in question."

5. Taking note of the fact, as stated, that the application preferred by the petitioner seeking interim protection in the suit filed under Section 144 of U.P. Revenue Code, 2006 was filed in the month of June, 2023 and the same has not been disposed of till date despite the fact that the objection to the same was filed in the month of July, 2023, this Court finds it appropriate to direct the opposite party no. 2 to consider and decide the application, in issue, within the time specified.
6. Accordingly, the present petition is disposed of with direction the opposite party no. 2-Sub Divisional Officer Sohawal, District - Ayodhya to consider and decide the application, in issue, preferred by

the petitioner seeking interim protection, most expeditiously after affording full opportunity of hearing to the parties, but without granting adjournment to either of the parties preferably within a period of ten weeks from the next date fixed in the case, if possible and if there is no other legal impediment.

7. It has been indicated that the next date fixed in the suit is 16.11.2023. Accordingly, the opposite party no. 2 shall make all endeavor to decide the application within the aforesaid period and if possible, the same shall be disposed of on the next date fixed in the case.

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

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

Order Date :- 31.10.2023

Mohit Singh/-

(Saurabh Lavania,J.)