

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5040 of 2023

Petitioner :- Shivpati

Respondent :- Sub Divisional Magistrate, Tiloi, C.S.M. Nagar And 11 Others

Counsel for Petitioner :- Bharat Kumar Dixit

Counsel for Respondent :- C.S.C.

Hon'ble Saurabh Lavania,J.

Heard.

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

By means of the present petition, petitioner seeks expeditious disposal of Case No.00976 of 2020, Computerized Case No.T-20200471800976 under Section 176 of U.P. Z.A. & L.R. Act, 1950, which is pending before the respondent No.1.

Taking note of the fact that the division of holdings under Section 176 of the U.P. Z.A. & L.R. Act, 1950 was instituted in the month of May, 2012 and despite the order of Board of Revenue, Lucknow, U.P., dated 05.10.2021 (annexed as Annexure No.3) passed in the light of the order passed by this Court dated 27.08.2021 in Writ Petition No. 18708 (M/S) of 2021 (Shivpati & Ors. vs. State of U.P. & Others), the suit, in issue, has not been disposed of till date and is pending consideration before the respondent No.1, this Court is of the view that prayer is liable to be acceded.

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

Accordingly, present petition is disposed of with direction to respondent No.1-Sub Divisional Magistrate, Tiloi, District-C.S.M. Nagar to consider and decide the Case No.00976 of 2020, Computerized Case No.T-20200471800976, most expeditiously, after affording full opportunity of hearing to the parties, but without granting any unnecessary adjournment to either of the parties preferably within a period of six months from the next date fixed in the case, if there is no other legal impediment.

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.

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

Order Date :- 10.10.2023

Vinay/-