

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5083 of 2023

Petitioner :- Athar Saeed Usmani (Mutwalli Waqf Jaydad Mohd. Yusuf Usmani)

Respondent :- Commissioner, Devipatan Mandal, Gonda And 3 Others

Counsel for Petitioner :- Satendra Nath Rai

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

Hon'ble Saurabh Lavania, J.

Heard.

In view of order proposed to be passed, issuance of notice to the private-respondents is hereby dispensed with.

The present petition has been filed for the following main relief:-

"1. To, issue the necessary direction to the Respondent No.1 to decide the pending Revision bearing Revision No. C202208000001187 titled as ("Athar Saeed Usmani Vs Iqbal Naseer Usmani and others") under section 210 of U.P. Revenue Code, 2006 pending before the court of Respondent No.1 expeditiously in a given time frame fixed by this Hon'ble Court."

Considering the facts, which are to the effect that revision was instituted in the month of 2022 under Section 210 of U.P. Revenue Code 2006 (in short 'Code of 2006') and the same relates to mutation proceedings as under challenge therein is the order dated 16.08.2022 passed in the case instituted under Section 34 of U.P. Revenue Code, 2006 as also that as per ***Rule 183(4) of the U.P. Revenue Code Rules, 2016 made under U.P. Revenue Code, 2006 read with para 458(2) of U.P. Revenue Court Manual***, an appeal or revision should preferably be decided within a period of six months, this Court is of the view that justice would suffice, if a direction is issued to opposite party no.1/Commissioner, Devi Patan Mandal, Gonda, to decide the pending revision in issue, at the earliest.

Accordingly the present petition is disposed of with direction to respondent no.1, to consider and decide the Revision No. C202208000001187 titled as (Athar Saeed Usmani Vs Iqbal Naseer Usmani and others) most expeditiously, after affording full opportunity of hearing to the parties, but without granting any unnecessary adjournment, preferably within a period of six months from the next date fixed before it, if there is no other legal impediment in this regard.

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.

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

Order Date :- 10.10.2023

Jyoti/-