

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5118 of 2023

Petitioner :- Sohan Lal And Another

Respondent :- Addl. Commissioner Judicial, Lko. Division, Lko. And 9 Others

Counsel for Petitioner :- Satish Kumar Sharma

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

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:-

"(i) To direct the opposite party No. 1, Additional Commissioner Judicial, Lucknow Division, Lucknow to decide the appeal No. 449/2023 (Computerized Case No. C202310000000449) Suresh Prakash & others Vs. Sohan Lal & others, under Section 24(4) Uttar Pradesh Revenue Code, 2006 which is pending for disposal since 02.02.2023 expeditiously as early as possible in the interest of justice.

(ii) To the opposite party No. 2, Upziladhikari, Tehsil Laharpur, District Sitapur to get the boundary of the disputed land done on the basis of report dated 24.06.2022, demarcation report and vision map submitted by the Revenue Inspector which has also been confirmed by opposite party No. 2 during the pendency of appeal before opposite party No. 1."

It is stated that as per para **458(2) of U.P. Revenue Court Manual**, an appeal or revision should preferably be decided within a period of six months. However, in the instant case, the revision is pending since February 2023 and on account of pendency of the same, the petitioners, are suffering great hardship and mental agony. In these circumstances, indulgence of this Court is required in the matter. The prayer is to expedite the proceedings of pending case.

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

Considering the facts and circumstances of the case, this Court is of the view that no fruitful purpose will be served in keeping this petition pending. Accordingly, this petition is disposed of with a direction to the respondent No.1/ Additional Commissioner Judicial, Lucknow Division, Lucknow, to consider and decide the Appeal No. 449/2023, Computerized Case No. C202310000000449 (Suresh Prakash & others Vs. Sohan Lal & others), 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 six 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 :- 10.10.2023

Jyoti/-