

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5139 of 2023

Petitioner :- Rama Shankar Shukla

Respondent :- State Of U.P. Thru. Addl. Chief. Secy., Revenue Deptt., Lucknow And 10 Others

Counsel for Petitioner :- Santosh Singh

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

Hon'ble Saurabh Lavania, J.

1. At the outset, learned counsel for the petitioner states that inadvertently the word "*Section 9A*" in place of "*Section 9A(2)*" has been mentioned in the memo of petition, as such, he prays that he may be permitted to amend the same.

2. The prayer sought is allowed. Learned counsel for the petitioner is permitted to make necessary amendment in the para(s) 3 & 5 as also in the prayer clause during course of the day.

3. Heard.

4. In view of the order proposed to be passed by this Court, notice to the private-respondent(s) is dispensed with.

5. Present petition has been filed for the following main relief:-

"A. An order or direction to the respondent No.2 to decide the Case No.14 under Section 9A(2) of Consolidation of Holdings Act, 1953, Vinod Kumar Singh and Others Vs Yagya Narayan (Rama Shankar Shukla and Others Vs Yagya Narayan Singh) within the time specified by this Hon'ble Court which is pending since 13.04.2017."

6. Taking note of the fact as indicated in the present petition that the case, in issue, filed under Section 9-A(2) of U.P. Consolidation of Holdings Act, 1953 (in short "Act, 1953") is pending consideration before the opposite party No.2 since April, 2017, this Court is of the

opinion that no gainful purpose will be served in keeping the present petition pending. Accordingly, present petition is disposed of with direction to opposite party no. 2-Consolidation Officer, Udaipur, Lalganj, District- Pratapgarh to consider and decide the Case No.14 under Section 9A(2) of Act, 1953, 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.

7. 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.

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

Order Date :- 11.10.2023

Mohit Singh/-

(Saurabh Lavania,J.)