

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5176 of 2023

Petitioner :- Ashok Kumar Tripathi

Respondent :- Sub Divisional Magistrate, Tarabganj, Gonda
And 26 Others

Counsel for Petitioner :- Krishna Madhav Shukla

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

Hon'ble Saurabh Lavania, J.

Heard.

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

Present petition has been filed seeking expeditious disposal of Case No.T202208300600241 filed under Section 116 of U.P. Revenue Code, 2006 which is pending before respondent No.1.

Taking note of the fact as indicated in the present petition that the case, in issue, filed under Section 116 of the Code of 2006 is pending consideration before the opposite party No.1 since 2022 as also that as per Rule 109(10) of the U.P. Revenue Code Rules, 2016, a suit for partition should be decided preferably within a period of six months, this Court is of the opinion that no gainful purpose will be served in keeping the present petition pending. Accordingly, the present petition is disposed of with direction to respondent No.1-Sub Divisional Magistrate, Tarabganj, Gonda to consider and decide the Case No.T202208300600241, 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 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 :- 12.10.2023/Mohit Singh/-