

Court No. - 6

Case :- WRIT - B No. - 926 of 2023

Petitioner :- Lallan Singh

Respondent :- Board Of Revenue, U.P., Lko. Thru. Chairman
And 4 Others

Counsel for Petitioner :- P.K. Mishra

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

Hon'ble Rajnish Kumar,J.

1. Sri Dr. Krishna Singh learned Standing counsel raised a preliminary objection that the State of U.P is party in the revision before the Board of Revenue but it has not been impleaded in this petition and this petition has been filed challenging the order dated 15.03.2021 without explaining the delay and laches, therefore, it is not maintainable. Even otherwise, the petitioner is not party in the revision, therefore, this petition on the instance of the petitioner is not maintainable.

2. Sri P.K. Mishra learned counsel for the petitioner submits that inadvertently he could not implead the State of U.P. and prays that he may be permitted to implead State of U.P as opposite party no.6. To which, there is no objection by the opposite side.

3. In view thereof, learned counsel for the petitioner is permitted to implead State of U.P as opposite party no.6 within course of the day.

4. Heard learned counsel for the petitioner, learned Standing counsel and Sri Tushar Gupta holding brief of Sri Pankaj Gupta learned counsel for the opposite party no.5.

5. Learned counsel for the petitioner submits that he has moved an application for impleadment in Revision no.1687 of 2020 under Section 333 of U.P. Z.A & L.R Act before the Board of Revenue on 12.05.2022 but the same has not been disposed of till date, therefore, at this stage, he restricts his prayer only for direction for prayer no.2 for deciding application for impleadment within stipulated period. However, the petitioner has not placed order sheet on record after 12.05.2022.

6. On a query being put, he submits that application has only been kept on record and the same has not been considered till

date.

7. There is no objection by the other side.

8. In view of the above, the petition is **disposed of** with liberty to move an application before the Board of Revenue for expeditious disposal of his application for impleadment. In case, such an application is moved by the next date of listing i.e. 22.11.2023 the same shall be considered by the Board of Revenue in accordance with law and if the application is pending, endeavour shall be made to decide the same expeditiously in accordance with law after affording opportunity to the parties.

(Rajnish Kumar,J.)

Order Date :- 13.10.2023

Harshita