

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5234 of 2023

Petitioner :- Ejaz Ahmad And 3 Others

Respondent :- Addl. Commissioner (Judicial), Ayodhya Mandal, Ayodhya And Others

Counsel for Petitioner :- Ravindra Shukla

Counsel for Respondent :- C.S.C., Dilip Mishra, Manish Jauhari, Mohan Singh

Hon'ble Saurabh Lavania, J.

Heard Sri Ravindra Shukla, learned counsel for the petitioner, Sri Anuj Kumar Shukla, learned State counsel appearing for the respondent Nos. 1, 2 and 6 to 11, Sri Mohan Singh, learned counsel appearing for the respondent No. 3/Gram Panchayat concerned, Sri Dilip Mishra, learned counsel appearing for the respondent No. 4/Nagar Palika Parishad concerned and Sri Manish Jauhari, learned counsel appearing for the respondent No. 5/U.P. State Vidhyut Parishad presently Madhyanchal Vidhyut Vitran Nigam Ltd.

By means of this petition, the petitioners seek expeditious disposal of Appeal No. 02582 of 2018, Computerized Case No. C201804000002582 (Ejaz Ahmad and others vs. State of U.P. and others) filed under Section 207 of U.P. Revenue Code, 2006, which is pending before the respondent No. 1/Additional Commissioner (Judicial), Ayodhya Mandal, Ayodhya.

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 appeal is pending since 2018 and on account of pendency of the same, the petitioners, who are aged about 78, 75, 73 and 65 years respectively, 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 to consider and decide the Appeal No. 02582 of 2018, Computerized Case No. C201804000002582 (Ejaz Ahmad and others vs. State of U.P. and 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 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 :- 13.10.2023

Arun/-