

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5274 of 2023

Petitioner :- Kripa Shanker

Respondent :- State Of U.P. Thru. Collector, Sultanpur And Others

Counsel for Petitioner :- Abhinandan Kumar Pandey

Counsel for Respondent :- C.S.C., Mohan Singh

Hon'ble Saurabh Lavania, J.

Heard.

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

The present petition has been filed for the following main relief:-

"i) Issue an order or direction to the Opposite Party No. 2 to decide Case No. 303 U/S-9 A (2) of CH Act "Ram Nihal versus Sarkar" within stipulated period fixed by this Hon'ble High Court."

With regard to main prayer sought, it is stated by learned Counsel for the petitioner that objection under Section 9A(2) of U.P. Consolidation of Holdings Act, 1953 (in short 'Act of 1953') is pending as Case No 303 (Ram Nihal Versus State) before respondent no.2/Chakbandi Adhikari Praham, Antim Abhilekh Sadar, Sultanpur, and in relation to gata(s) involved in the case, the first report dated 23.10.1996 was submitted before the Assistant Consolidation Officer and subsequent report was submitted in the year 2021, as such it is apparent that several years have lapsed, but the objection filed under Section 9A(2) of the Act of 1953, has not disposed of till date. As such, indulgence of this Court is required. Prayer is to direct the respondent no. 2 to decide the case at the earliest.

It is further submitted that though a large number of dates have been fixed, however, for the reasons beyond control, the matter has not yet been decided.

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

Considering the facts and circumstances, this Court is of the opinion that no gainful purpose will be served in keeping the aforesaid petition pending. Accordingly, in the ends of justice the respondent No.-2 is directed to consider and decide the pending Case No. Case No 303 (Ram Nihal Versus State) most expeditiously, after affording full opportunity of hearing to the parties, but without granting any unnecessary adjournment, preferably within six months from the next date fixed before it, if there is no other legal impediment in this regard.

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 :- 16.10.2023

Jyoti/-