

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5298 of 2023

Petitioner :- Vijay Kumar Singh

Respondent :- Sub Divisional Magistrate, Amethi And 4 Others

Counsel for Petitioner :- Pravin Kumar Singh

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

Hon'ble Saurabh Lavania, J.

Heard learned counsel for the parties.

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

By means of this petition, the petitioners seek expeditious disposal of Case No. 969/2022, Computerized Case No. T202204710500969 (Vijay Kumar Singh Versus Ameen Khan and Others), filed under Section 144 of U.P. Revenue Code, 2006, which is pending before the respondent No. 1/Sub Divisional Magistrate, Amethi, District Amethi, since March 2022.

It is stated that as per para **458(1) of U.P. Revenue Court Manual**, a suit preferred for declaration of rights should preferably be decided by the revenue Court concerned within a period of one year from the date of filing of the same, however, in the instant case, the suit of such nature is pending since March 2022 and on account of pendency of the same, the petitioner is suffering great hardship and mental agony. In these circumstance, indulgence of this Court is required in the matter. The prayer is to direct the Authority/Court concerned to decide the suit, in issue.

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 Authority/Court to consider and decide the Case No. 969/2022, Computerized Case No. T202204710500969 (Vijay Kumar Singh Versus Ameen Khan 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 one year 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 :- 17.10.2023

Jyoti/-