

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5319 of 2023

Petitioner :- Pushpa Devi

Respondent :- Tehsildar, Judicial Tehsil Bikapur, Ayodhya And 2 Others

Counsel for Petitioner :- Sudhir Kumar Rai

Counsel for Respondent :- C.S.C.

Hon'ble Saurabh Lavania,J.

At the very outset, learned counsel for the petitioner stated that inadvertently in the prayer clause, the typographical error has been crept in, as such, he may be permitted to correct the said error during the course of the day.

The prayer aforesaid is acceded, as the same has not been opposed.

In view of above, learned counsel for the petitioner is permitted to carry out necessary amendment in the prayer clause of this petition during the course of the day.

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 petitioner seeks expeditious disposal of recall application dated 22.09.2018 seeking recall of the order dated 08.08.2018 passed in Case RST No. 654/2015, Computerized Case No. T201604230303411 (Budhirram and others vs. Chaitu), filed under Section 35(1)(Ga) of the U.P. Revenue Code, 2006, which is pending before the respondent No. 1/Tehsildar, Judicial Tehsil Bikapur, Ayodhya.

It is stated that the on coming to know about the order dated 08.08.2018 passed in Case RST No. 654/2015, Computerized Case No. T201604230303411 (Budhirram and others vs. Chaitu), an application dated 22.09.2018 was moved for recall of the order dated 08.08.2018, which is pending till date and on account of pendency of the same, the petitioner being a lady is suffering great hardship and mental agony. In these circumstances, the indulgence of this Court is required. The prayer is to expedite the proceedings of the application 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 respondent No. 1 to consider and decide the recall application dated 22.09.2018 seeking recall of the order dated 08.08.2018 passed in Case RST No. 654/2015, Computerized Case No. T201604230303411 (Budhirram and others vs. Chaitu) 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 three 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 :- 17.10.2023

Arun/-