

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5668 of 2023

Petitioner :- Seema Singh And Another

Respondent :- State Of U.P. Thru. Addl. Chief Secy. Deptt. Revenue, U.P. Lucknow And 2 Others

Counsel for Petitioner :- Sushil Kumar Singh, Ayush Singh

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

Hon'ble Saurabh Lavania, J.

Heard Sri Ayush Singh, learned Counsel for the petitioners, Sri Mohan Singh, learned Counsel for the Gaon Sabha and Sri Ambuj Kumar Singh, learned Counsel for the State.

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 appropriately directing the Opposite Party No. 3 to expedite the processing of exchange application dated 06-09-2021, filed under Section 101 of U/s-101 of U.P. Revenue Code, 2006 in the Court of Up-Ziladhikari/S.D.O. Jaisinghpur."

With regard to the main relief sought, quoted above, learned Counsel for the petitioner Sri Ayush Singh, stated that with a prayer to exchange the land under Section 101 of U.P. Revenue Code, 2006 (in short 'Code of 2006') the petitioners namely Seema Singh and Kalawati, preferred an application before respondent no.3/Up Ziladhikari/S.D.O., Tehsil Jaisinghpur, District Sultanpur, on 06.09.2021, which is annexed as Annexure No. 2 to the present petition, however, the said application has not been disposed of till date and on account of pendency of application in issue, the petitioners are suffering great hardship and mental agony. As such, indulgence of this Court is required. Prayer is to direct the respondent no.3, to consider and decide the pending application expeditiously.

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, the present petition is disposed of with direction to respondent no.3 to consider and decide the pending application dated 05.09.2021 preferred on 06.09.2021, most expeditiously, after affording full opportunity of hearing to the parties, but without granting any unnecessary adjournment to either of the parties preferably within a period of six months from the next date fixed before it, if possible and if there is no other legal impediment in this regard.

It is made clear that this 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 :- 6.11.2023

Jyoti/-