

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5491 of 2023

Petitioner :- Deenanath Mishra And Others

Respondent :- Sub Divisional Magistrate, Tehsil-Raniganj,
Pratapgarh And Others

Counsel for Petitioner :- Vijay Kumar Mishra

Counsel for Respondent :- C.S.C.

Hon'ble Saurabh Lavania,J.

1. Heard.

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

3. Present petition has been filed with the following main relief:

"Issue a direction to decide the case no. T - 201402570500037 Under section Z.A. L.R Act as well as under section 116 Revenue code 2006 pending before Sub Divisional Magistrate Tehsil- Raniganj, District - Pratapgarh, - Under title Deenanath Versus Ramchander and others in the interest of justice."

4. At the outset, learned Standing Counsel for State-respondents, based upon the instructions dated 02.11.2023 received from Sub Divisional Officer, Raniganj, District - Pratapgarh, which has been placed before this Court and is taken on record, states that the case, in issue, is pending as Case No. T - 201402570500037 under Section 176 of Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950 and the next date fixed in the case is 06.11.2023.

5. Considering the prayer sought as also the aforesaid as also the fact that the aforesaid case is pending since 2014, this Court finds it appropriate to direct the opposite party no. 1 to conclude the proceedings within a stipulated time.

6. Accordingly, the present petition is disposed of with the direction to opposite party no. 1 - Sub Divisional Magistrate, Tehsil- Raniganj,

Pratapgarh to consider and decide the case, in issue, within a period of one year from the next date fixed in the case. It is in view of Para 458(1) of the U.P. Revenue Court Manual as per which the suit of such nature should be decided within a period of one year.

7. To conclude the proceedings, the opposite party no. 1 shall avoid unnecessary adjournments.

8. 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.

Order Date :- 3.11.2023/Mohit Singh/-