

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5417 of 2023

Petitioner :- Smt. Gudiya

Respondent :- Atirikt Adhikari Pratham, Barabanki And 5 Others

Counsel for Petitioner :- Chhote Lal Yadav

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 petitioner seeks expeditious disposal of Case No. T201904120115751 (Smt. Gudia Versus Sunil Kumar and Others), filed under Section 24 of the U.P. Revenue Code, 2006 pending before the respondent No.1/Atirikt Adhikari Pratham, District Barabanki, since June 2019.

It is stated that as per **Section 24(3) of the U.P. Revenue Code, 2006 read with U.P. Revenue Code Rules, 2016**, the demarcation proceedings, being summary in nature, should preferably be decided within a period of three months, however, in the instant case, the application for demarcation has not been decided till date, which is pending since June 2019 and on account of pendency of the aforesaid case, petitioner being a lady is suffering great hardship and mental agony. In these circumstances, indulgence of this Court is required.

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 Case No. T201904120115751 (Smt. Gudia Versus Sunil Kumar and Others) most expeditiously after affording full opportunity of hearing to the parties to the litigation and without granting any unnecessary adjournment to either party preferably within a period of three months from the next date fixed in the case, 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 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 :- 19.10.2023

Jyoti/-