

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5437 of 2023

Petitioner :- Rajaram

Respondent :- The Court Of Sub Divisional Magistrate, Tehil Kadipur, Sultanpur And Others

Counsel for Petitioner :- Vijay Bahadur Yadav

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

Hon'ble Saurabh Lavania,J.

Heard.

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

Present petition has been filed for the following main relief:-

"(i) Direct the Opposite Party No. 1 i.e. The court of Sub-Divisional Magistrate, Tehsil Kadipur, District-Sultanpur to decide the Interim relief application and if it may possible Case No 5245 of 2023 bearing computerized case No T202304680405245; Rajaram Vs. Smt. Vaishali and others, Under Section 116 of U.P. Revenue Court 2006 expeditiously as this Hon'ble Court may deemed fit which is pending before Opposite Party No. 1 since 2023 (contained in Annexure No.1 to this petition), in the interest of justice."

Considering the facts of the case as indicated in the present petition as also the documents annexed thereto particularly the photographs, annexed as Annexure No.2 to the present petition, wherefrom, prima facie, it appears that construction work is going on and the interim relief application filed by the petitioner, who is a senior citizen aged about 73 years, has not been disposed of, 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-Sub-Divisional Magistrate, Tehsil-Kadipur, District-Sultanpur to consider and decide Interim Relief Application, if possible on the next date fixed and if not, then, the same shall be decided within maximum period of one month from the next date fixed, as per law, after affording full opportunity of hearing to the parties to the litigation and without granting any adjournment to either party.

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

Vinay/-