

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5620 of 2023

Petitioner :- Veerendra Pratap And Others

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

Counsel for Petitioner :- R.R. Dev

Counsel for Respondent :- C.S.C.

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 has sought the following main relief:-

"I. Issue an order or direction to the opposite party No: 2 to decide and dispose of the application dated 08.12.2022 of the applicants filed under section 38 (2) of the U.P. Revenue Code 2006, which has been registered as Case No: 2435/2023 "Virendra Pratap and others Vs Nazaf Ali and others" (Computerised Case No:D-202304680002435), and has also been annexed as Annexure No: 1 to this application, at the earliest in the interest of justice."

Considering the period of pendency of the present application, in issue, and also the period prescribed for taking decision on the same under Rule 36(6) of U.P. Revenue Code Rules, 2016, as per which, a case of such nature should preferably be decided within a period of 45 days, the present petition is disposed of with a direction to the respondent No. 2 to consider and decide the application, in issue, dated 08.12.2022 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 :- 2.11.2023

Arun/-