

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5540 of 2023

Petitioner :- Ishtiyak Ali And Others

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

Counsel for Petitioner :- Salik Ram Tiwari, Sanjeev Kumar Dwivedi

Counsel for Respondent :- C.S.C., Pankaj Gupta

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 reliefs:-

"(i) Issue a direction to the opposite party No. 3, i.e. Sub-Divisional Officer, Patti, Pratapgarh to decide the Application for stay filed by the petitioners dated 10.7.2023 in Case No. 528 of 2023 "Ishtiyak Ali & others Versus State and another", under section 144 of U.P. Revenue Code 2006, pending in the Court of Sub- Divisional Officer, Patti, District- Pratapgarh, Since 10.07.2023, expeditiously within stipulated period as early as possible."

Taking note of the facts as indicated in the petition that the application seeking interim relief dated 10.07.2023 in Case No.528 of 2023 is pending consideration before opposite party No.3 till date, though, almost three months have elapsed, this Court is of the view that no fruitful purpose will be served in keeping this petition pending.

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.3-Sub Divisional Officer, Patti, Pratapgarh, to consider and decide the Application for Interim Relief, Dated 10.07.2023 in Case No.528 of 2023, 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 Court concerned shall be free to decide the matter strictly in accordance with law.

With the aforesaid, the petition is **disposed of**.

Order Date :- 30.10.2023

Vinay/-