

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5632 of 2023

Petitioner :- Ram Yagya

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

Counsel for Petitioner :- Chandra Bhan Verma, Dilip Kumar Verma

Counsel for Respondent :- C.S.C.

Hon'ble Saurabh Lavania, J.

Heard.

At the very outset, learned Counsel for the petitioner stated that inadvertently due to typographical error statutory provision, could not be corrected and he may be permitted to correct the same during the course of the day.

Learned State Counsel has no objection to the prayer made by the learned Counsel for the petitioner.

Accordingly, the petitioner is permitted to correct the provisions in the memo of petition, during the course of the day.

In view of order proposed to be passed, issuance of notice to the private-respondents is hereby dispensed with.

The present petition has been filed for the following main relief:-

"(a) an order or direction commanding upon the Opposite Party No. 2 to hear and decide the Revision No. 610/2022, Shiv Bahadur Yadav Vs Ram Yagya & Others, U/S. 210 U.P. Revenue Code filed by Opposite Party No. 3 at the earliest say within the period as stipulated by this Hon'ble Court without granting any further unnecessary adjournment."

It is stated that as per para **458(2) of U.P. Revenue Court Manual**, an appeal or revision should preferably be decided within a period of six months. However, in the instant case, the revision is pending since 2022 and on account of pendency of the same, the petitioner, is suffering great hardship and mental agony. In these circumstances, indulgence of this Court is required in the matter. The prayer is to expedite the proceedings of pending case.

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.2/Additional Commissioner (Administration), Ayodhya Mandal, Ayodhya to consider and decide the Revision No. 610/2022 (Shiv Bahadur Yadav Vs Ram Yagya & Others), 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 six 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 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 :- 3.11.2023

Jyoti/-