

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5565 of 2023

Petitioner :- Basdev Patel And Others

Respondent :- Sub Divisional Magistrate, Tehsil Kunda, Pratapgarh And Others

Counsel for Petitioner :- Prashant Shukla, Anil Kumar Yadav, Shashank Kumar

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

Hon'ble Saurabh Lavania, J.

Heard.

In view of the order proposed to be passed by this Court, notice to the private-respondents is dispensed with.

By means of the instant petition, the petitioners seek expeditious disposal of Demarcation Application/Case No.1428 of 2021, Computerized Case No.T202302570103516 under Section 24 of the U.P. Revenue Code, 2006 pending before the respondent No.1.

It is stated that as per Section 24(3) of the U.P. Revenue Code, 2006 the demarcation proceedings, being summary in nature, should be decided preferably within a period of 90 days, however, the application for demarcation has not been decided till date, which is pending since 2021 and on account of pendency of the aforesaid case, petitioners are suffering great hardship. In these circumstances, indulgence of this Court is required.

Learned standing counsel submits that he has no objection in case an expedite order is passed.

Considering the facts and circumstances, this Court is of the opinion that no gainful purpose will be served in keeping the aforesaid petition pending rather ends of justice can be served by directing the respondent No.1-Sub Divisional Magistrate, Kunda, District-Pratapgarh to consider and decide the Demarcation Application/Case No.1428 of 2021, Computerized Case No.T202302570103516, most expeditiously, affording full opportunity of hearing to the parties, but without granting any unnecessary adjournment to either of the parties 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 of the parties 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 :- 31.10.2023

Vinay/-