

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5593 of 2023

Petitioner :- Shabbir Ahmad

Respondent :- Consolidation Officer, Milkipur, Ayodhya And Others

Counsel for Petitioner :- Radhey Shyam Tiwari

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-respondents is hereby dispensed with.

By means of this petition, the petitioner has sought the following main relief:-

"(i) Issue a direction to the opposite parties No. 1 i.e. Consolidation officer Milkipur, Ayodhya to decide the case No. 151 Under section 9A(2) of the U.P. C.H. Act, "Mohd. Tayyab Versus State", in respect of Basic Year Khata No. 433, situated at Village- Mukeempur @ Pahadpur, Pargana- Pashchimrath, Tehsil- Bikapur, District- Ayodhya, pending since 6.9.2011 within stipulated period as early as possible."

Upon due consideration of the facts, as stated, that the petitioner is a senior citizen aged about 63 years and that the initial order was passed by Consolidation Officer (CO) on 19.02.2004, which was challenged in an appeal before the Settlement Officer of Consolidation (SOC), who decided the appeal vide order dated 17.11.2004 and remanded the matter back to Consolidation Officer for taking decision in the matter afresh and the order dated 17.11.2004 was assailed in a revision, which was dismissed on 27.08.2011 and in terms of the order of remand dated 17.11.2004 passed by SOC, the case is pending till date before the respondent No. 1/Consolidation Officer, Milkipur, Ayodhya, the present petition is disposed of with a direction to the respondent No.1 to consider and decide the case, in issue, 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 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 :- 1.11.2023

Arun/-