

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5587 of 2023

Petitioner :- Rajbali

Respondent :- Kedar Nath And 3 Others

Counsel for Petitioner :- Alok Singh

Hon'ble Saurabh Lavania,J.

At the very outset, learned counsel appearing for the petitioner says that Board of Revenue at Lucknow could not be impleaded as proper party in the memo of this petition. As such, he may be permitted to implead the said party during the course of the day.

Considering the issue involved in this petition, petitioner's counsel is permitted to implead Board of Revenue at Lucknow in the array of parties during the course of the day. He is also directed to provide two copies of this petition to learned State counsel during the course of the day.

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 order or direction there by directing the learned Member of the Board of Revenue Lucknow U.P. to decide the Revision No. R2015257002960 of 2015 (Kedar Nath and others Versus Additional Commissioner and others) expeditiously as early as possible."

Considering the fact that the matter is pending since 2015 before the Board of Revenue at Lucknow in terms of the order of remand as also the fact that the issue involved in the revision relates to mutating the name(s) of concerned in revenue records as also taking note of para 458(2) of U.P. Revenue Court Manual, as per which, an appeal or revision should preferably be decided within a period of six months, the present petition is disposed of with a direction to Authority concerned to consider and decide the revision, 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/-