

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5659 of 2023

Petitioner :- Shyam Kali

Respondent :- Up Zila Adhikari, Kunda, Pratapgarh And Others

Counsel for Petitioner :- Shiv Lal Yadav, Saroj Neelu Omkar

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

Hon'ble Saurabh Lavania, J.

At the very outset, learned counsel for the petitioner says that one necessary party is left to be impleaded in this petition, as such, he may be permitted to implead the same during the course of the day.

The prayer aforesaid is acceded, as the same has not been opposed.

In view of above, learned counsel for the petitioner is permitted to implead the said party in the memo of this petition 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) Direct the Up Zila Adhikari, Kunda, District-Pratapgarh (opposite party no.1) to decide the Case No. 202302570105347 "Shyam Kali Versus Gaon Sabha and others" Under Section 24 of the U.P. Revenue Code, 2006 pending before the Court of Up Zila Adhikari, Kunda, District-Pratapgarh in accordance with law within a period as fixed by this Hon'ble Court."

The petitioner is a 49 years old lady and taking note of the period of pendency of the case, in issue, as also Section 24(3) of the U.P. Revenue Code, 2006 read with U.P. Revenue Code Rules, 2016, as per which, the demarcation proceedings, being summary in nature, should preferably be decided within a period of three months, 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 three 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 :- 6.11.2023

Arun/-