

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5686 of 2023

Petitioner :- Shiv Shankar

Respondent :- Board Of Revenue, U.P. Lko. Thru. Chairman And Others

Counsel for Petitioner :- Rakesh Kumar Maurya

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:-

"(1) Direct the opp. party no. 1 i.e. Board of Revenue, Uttar Pradesh, Lucknow to consider and decide the Revision No. 2777 of 2006-07, Computerized No. R-200710410030166 under Section 219 of U.P.L.R. Act in the proceedings under Section 33/39 of U.P.L.R. Act "Shiv Shankar versus Daya Ram and others", which is pending in the Court of the opposite party no. 1, expeditiously."

Considering the age of petitioner i.e. 78 years as also that of litigation and 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, however, in the instant case, the revision is pending since 2006 and on account of pendency of the same, the petitioner being a senior citizen is suffering great hardship, the present petition is disposed of with a direction to the respondent No.1 to consider and decide the proceedings, 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 :- 7.11.2023

Arun/-