

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5691 of 2023

Petitioner :- Chandra Badan Tiwari And Another

Respondent :- Deputy Collector, Tehsil Kadipur, Sultanpur And 3 Others

Counsel for Petitioner :- Pramod Kumar Singh, Manish Mehrotra

Counsel for Respondent :- C.S.C., Mohan Singh

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 petitioners have sought the following main relief:-

"(1) Issue order or direction thereby directing to Deputy Collector Tehsil Kadipur, District Sultanpur i.e. opposite party No.1 to decide the declaratory suit No.621 of 2021 now 621/2023 Computer Case No.T202304680400621 U/s-144 U.P. Land Revenue Code 2006 "Chandra Badan Tiwari and another Vs. Udaibhan and others" Village Misirpur Dhekaha, Pargana - Aldemau, Tehsil Kadipur, District Sultanpur contained as Annexure No.1 to this petition within stipulated period pending since 06.10.2021."

Considering that the petitioners are senior citizens aged about 77 and 69 years respectively as also taking note of para **458(1) of U.P. Revenue Court Manual**, as per which, a suit preferred for declaration of rights should preferably be decided by the revenue Court concerned within a period of one year from the date of filing of the same, the present petition is disposed of with a direction to the Authority/Court to consider and decide the suit, 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 one year 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/-