

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5748 of 2023

Petitioner :- Jagatram Yadav

Respondent :- Sub Divisional Magistrate Sub Divisional
Magistrate Tehsil Payagpur Bahraich And Another

Counsel for Petitioner :- Brij Bhushan Singh,Pranjal
Apurva,Sandeep Kumar Mishra

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-respondent(s) is hereby dispensed with.

By means of this petition, the petitioner seeks expeditious disposal of Case No. 6804/2022 (Jagatram Yadav vs. Chunmun) filed under Section 116 of U.P. Revenue Code, 2006, which is pending before the respondent No. 1.

Considering the period of pendency of the case, in issue as also Rule 109(10) of U.P. Revenue Code Rules, 2016 made under the U.P. Revenue Code, 2006, as per which, a suit for partition preferred under Section 116 of the Code of 2006 should preferably be decided within a period of six months, the present petition is disposed of with a direction to the respondent No.1 to consider and decide the Case No. 6804/2022 (Jagatram Yadav vs. Chunmun) 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 :- 8.11.2023

Arun/-