

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5831 of 2023

Petitioner :- Guru Prasad

Respondent :- U.P. Ziladhikari, Tehsil-Gauriganj, Amethi And Others

Counsel for Petitioner :- Dileep Kumar Tiwari, Md.Khurshed Ahmad

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

Hon'ble Saurabh Lavania, J.

Heard.

In view of the order proposed to be passed by this Court, notice to the private-respondents is dispensed with.

The present petition has been filed for the following main relief:-

"a. Issue order or direction to the opposite party no.1 to decide the Application under section 209-Ja of U.P. Revenue Code, 2006 dated 25.05.2023 in Case No.T-201804710102425, Guru Prasad V/s Ram Pratap and others, under section 24 of U.P. Revenue Code within the stipulated period as fixed by this Hon'ble court, in the interest of justice."

For the purposes of seeking main relief, quoted above, learned Counsel for the petitioner says that a final order was passed in demarcation proceedings on 03.03.2023, which is favourable to the petitioner and thereafter an application dated 25.05.2023 was preferred, for recall of order dated 03.03.2023, which is still pending though as per statutory provisions, the demarcation proceedings should be concluded within a period of three months. As such, indulgence of this Court is required.

Considering the aforesaid as also that State Counsel has no objection, if an expedite order is passed, the present petition is disposed of with direction to respondent No.-1/ Up-Ziladhikari, Tehsil Gauriganj, District Amethi, to consider and decide the pending application dated 25.05.2023, most expeditiously, after affording full opportunity of hearing to the parties, but without granting any unnecessary adjournment, preferably within a period of three months from the next date fixed before it, if there is no other legal impediment in this regard.

It is made clear that the Court has not examined the case of either of the parties 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 :- 9.11.2023

Jyoti/-