

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5879 of 2023

Petitioner :- Harikrishna

Respondent :- State Of U.P. Thru. Prin. Secy. Revenue Deptt., Lko. And Others

Counsel for Petitioner :- Ramendra Kumar Misra

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.

Present petition has been filed for the following main reliefs:-

"(i) to issue order or direction invoking supervisory jurisdiction under Article 227 of the Constitution of India, directing the Opp. Party no. 2 i.e. Learned Additional Commissioner (Judicial) Division Ayodhya, District Ayodhya, to heard and decide the interim relief application expeditiously which is pending in Revision No.423 of 2023 U/S- 210 U.P Revenue Code 2006 (Harikrishna Versus Mata prashad & Others) in the interest of justice."

With regard to main prayer sought, quoted above, learned Counsel for the petitioner says that revision in issue, was admitted by the authority concerned on 12.06.2023, however, the application seeking interim protection, has not been disposed of till date. Whereas according to law laid down by the Hon'ble Apex Court in the case of **Mool Chand Yadav & Another vs. Raza Buland Sugar Company Ltd., Rampur and Others, (1982) 3 SCC 484**, during pendency of the appeal/revision having serious consequences the interim protection should be provided. Further submitted that on account of pendency of the case, petitioner is suffering great hardship and mental agony, as such, indulgence of this Court is required in the matter.

The Principle settled in the aforesaid judgments has not been disputed by the learned counsel for the side opposite.

Considering the aforesaid facts and circumstances, without entering into the merits of the case, the present petition is **disposed of finally** with the direction to respondent No.2/ Additional Commissioner(Judicial) Division Ayodhya, District Ayodhya, to consider and decide the interim relief application in Revision No.423 of 2023 U/S- 210 U.P Revenue Code 2006 (Harikrishna Versus Mata prashad & Others), 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 possible and if there is no other legal impediment in this regard.

It is made clear that this 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.

Order Date :- 9.11.2023

Jyoti/-