

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5872 of 2023

Petitioner :- Mohd. Alim Khan And Others

Respondent :- Settlement Officer, Consolidation, Ayodhya And Others

Counsel for Petitioner :- Ajay Pratap Singh

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

Hon'ble Saurabh Lavania,J.

Heard Sri Yogesh Singh, learned Advocate holding brief of Sri Ajay Pratap Singh, learned Counsel for the petitioners, Sri Mohan Singh, learned Counsel for the Gaon Sabha and Sri Anil Khare, learned State Counsel.

In view of order proposed to be passed, issuance of notice to the private-respondent(s) is hereby dispensed with.

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

"a. issue a writ order or direction to the opposite party no.1 to decide the Appeal No. 1187 (Mohd. Alim Khan and Others Versus Imtiyaz & Others) filed under Section 11(1) of the U.P. Consolidation of Holdings Act within a stipulated period as this Hon'ble Court may prescribe in the interest of justice."

With regard to relief sought, quoted above, learned Counsel for the petitioners stated that challenging the order dated 04.08.2022 passed by Consolidation Officer, Milkipur, District Ayodhya, in Case No. 935 filed under Section 9A(2) of U.P. Consolidation of Holdings Act, 1953 (in short 'Act of 1953'), the petitioners preferred an appeal dated 10.08.2021, which is pending till date and for the reasons beyond control to the petitioners, the said appeal has not been disposed of till date and on account of order dated 04.08.2022, the petitioners are suffering great hardship and mental agony. As such, indulgence of this Court is required. Prayer is to expedite the case, which has not been opposed by the State Counsel.

Considering the facts as stated, particularly the period of pendency of the case, which appears to be pending since 2022, this petition is disposed of with direction to opposite party no.1/Settlement Officer, Consolidation, District- Ayodhya to consider and decide the pending appeal, detailed above, most expeditiously, after affording full opportunity of hearing to the parties, but without granting any unnecessary adjournment, preferably within a period of six 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 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 :- 9.11.2023

Jyoti/-