

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5987 of 2023

Petitioner :- Preetam Lal

Respondent :- Up Zilaadhikari Taanda, Tehsil Taanda,
Ambedkar Nagar And Others

Counsel for Petitioner :- Ganga Prasad Mishra, Abhinav
Mishra

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

Hon'ble Shree Prakash Singh, J.

1. Heard Sri Ganga Prasad Mishra, learned counsel for the the petitioner, Sri Vijay Kumar Yadav, advocate, holding brief of Sri Mohan Singh, learned counsel for the Gaon Sabha, Sri Hemant Pandey, learned standing counsel for the State and perused the record.

2. The instant petition has been filed with the following relief:-

(i) To direct the opposite party no. 1 to the decide the partition suit vide case no. T202304040304853 (Preetam Lal Versus Harishchandra & Others) under section- 116 of U.P. Revenue Code 2006 fixed on 20-11-2023 expeditiously, within stipulated time granted by this Hon'ble Court.

(ii) Any other order, or direction, which this court deem fit and proper under the circumstances of the case in favour of Petitioner be passed in the interest of justice.

(iii) Allow the Petition with cost in favour of the petitioner.

3. The learned counsel appearing for the petitioner submits that the matter is pending consideration and the same has still not been decided. He added that the interest of justice would be sub-served if, this Hon'ble Court would be pleased to direct the opposite party no. 1 to decide the partition suit vide case no. T202304040304853 (Preetam Lal Versus Harishchandra & Others) within a stipulated period of time as may be fixed by this Court.

4. The learned Standing Counsel has no objection to the contention aforesaid.

5. In view of the aforesaid innocuous prayer, the opposite party no. 1, is hereby directed to decide the partition suit vide case no. T202304040304853 (Preetam Lal Versus Harishchandra & Others) under section 116 of U.P. Revenue Code 2006, Tehsil-Taanda, District- Ambedkar Nagar, within a period of nine months, from the date of certified copy is produced before it, in accordance with law, after affording opportunity of hearing to all the parties, if there is no legal impediment.

6. The aforesaid order is subject to cooperation of the petitioner.

7. Accordingly, the instant petition is **disposed of**.

Order Date :- 29.11.2023

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