

Court No. - 6

Case :- MATTERS UNDER ARTICLE 227 No. - 6085 of 2023

Petitioner :- Jamuna Prasad

Respondent :- Sub Divisional Magistrate, Tehil Jaisinghpur,
Sultanpur And Others

Counsel for Petitioner :- Jitendra Kumar Pandey, Ankit
Pandey, Anurag Mishra

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

Hon'ble Rajnish Kumar, J.

Heard Shri Ankit Pandey, learned counsel for the petitioner, learned Standing Counsel and Shri Mohan Singh, learned counsel for the respondent no.3/ Gaon Sabha.

Learned counsel for the petitioner submits that the respondent no.14 to 17 have filed a suit under Section 144 of U.P. Revenue Code- 2006, which is pending in the Court of Sub-Divisional Magistrate, Tehsil- Jaisinghpur, District- Sultanpur. The petitioner has filed an application on the maintainability of the suit on 19.09.2002 but the same has not been disposed of till date, therefore the petitioner is constrained to approach this Court, whereas there is no such prayer in the petition and the prayer has been made for disposal of suit.

Considering the nature of the order proposed to be passed, the requirement of issuance of notice to the respondent nos.4 to 17 is dispensed with.

Without entering into the merit of the case, this petition is **disposed of** with liberty to the petitioner to move appropriate application for expeditious disposal of his application filed on maintainability of the suit. In case any such application is moved within a period of two weeks from today, the same shall be considered and disposed of by the concerned court within a period of two weeks thereafter and proceed accordingly.

(Rajnish Kumar, J.)

Order Date :- 4.12.2023

Haseen U.