

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 6173 of 2023

Petitioner :- Rama Kant And Another

Respondent :- State Of U.P. Thru. Collector, Sultanpur And Others

Counsel for Petitioner :- Ajay Pratap Singh

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

Hon'ble Shree Prakash Singh,J.

Heard learned counsel for the petitioners, Sri Prafulla Kumar Yadav, learned Additional C.S.C. for the State, Sri Vijay Kumar Yadav, Advocate, holding brief of Sri Mohan Singh, learned counsel for the Gaon Sabha.

Present petition has been filed with the following prayers:-

"(a) issue an order or direction directing the opposite party no.2 to decide the Case No.1653 of 2023, Computerized Case No.D202304680001653 (Ramakant Vs. State of U.P. & others) filed under Section 30 of the Uttar Pradesh Revenue Code, 2006 within a fortnight or as this Hon'ble Court may prescribe in the interest of justice.

(b) issue an order or direction directing the opposite party no.3 not to dig out the Gata No.418 situated in Village Mewpur Barchauli, Pragna Aldemau, Tehsil Kadipur, District Sultanpur, during pendency of the Case No.1653 of 2023 Computerized Case No.D202304680001653 (Ramakant Vs. State of U.P. & others) pending before the court of O.P. No.2 filed under Section 30 of the Uttar Pradesh Revenue Code 2006."

Learned counsel for the petitioner submits that the matter is pending consideration before the authority concerned and the interest of justice would be sub-served if the Case No.1653 of 2023 (Computerized Case No.D202304680001653), Ramakant Vs. State of U.P. & others, pending before the court of O.P. No.2 is decided within stipulated period of time as fixed by this Court. He further submitted that since dispute also covers the issue of Gata No.418, therefore, unless issue is decided, digging out the Gata No.418 may be stopped.

Learned counsel for the State and the learned counsel for the Gaon Sabha have no objection to the submission aforesaid.

In view of the aforesaid submission, the opposite party no.2, i.e., ADM (Finance & Revenue), Sultanpur is directed to decide Case No.1653 of 2023 (Computerized Case No.D202304680001653), Ramakant Vs. State of U.P. & others, within a period of thirty days, in accordance with law.

It is further observed that for a period of thirty days only, digging out of Gata No.418 shall remain stayed.

With the aforesaid observations, writ petition is **disposed of**.

Order Date :- 18.12.2023

Ram Murti