

Court No. - 21

Case :- MATTERS UNDER ARTICLE 227 No. - 6277 of 2023

Petitioner :- Shrimati Foolmati

Respondent :- State Of U.P. Thru. Secy. Home, Lucknow And Others

Counsel for Petitioner :- Deepak Yadav

Counsel for Respondent :- C.S.C.

Hon'ble Manjive Shukla,J.

1. Heard learned counsel appearing for the petitioner and learned Standing Counsel appearing for the Respondents No. 1 and 2.

2. In view of proposed order, notice to Respondent No. 3 is dispensed with.

3. Learned counsel appearing for the petitioner has submitted that initially petitioner filed a case under Section 24 of the U.P. Revenue Code, 2006 which was decided vide order dated 9.12.2020. It has further been submitted that against the order dated 9.12.2020, Respondent No. 3 has filed an appeal under Section 207 of U.P. Revenue Code, 2006 which has been registered as Appeal No. 104 of 2021 (Computerized Case No. C202110000000104 (Mahadev Vs. Shrimati Foolmati & Others)).

4. Learned counsel appearing for the petitioner has argued that aforesaid appeal was filed in the year 2021 but till date, it has not been decided by the Respondent No. 2.

5. Learned counsel appearing for the petitioner has also invited attention of this court towards Rule 183 (4) of the U.P. Revenue Code Rules, 2016 wherein it has been provided that appeals are to be decided within a period of six months.

6. I have considered the submissions advanced by the learned counsel appearing for the petitioner and I find that appeal filed by the Respondent No. 3 under Section 207 of the U.P. Revenue Code, 2006 is pending before Additional Commissioner (Administration), Lucknow Division, Lucknow.

7. This court further finds that under Rule 183 (4) of the U.P. Revenue Code Rules, 2016, there is categorical provision that appeals are to be decided within a period of six months. In spite

of there being categorical provision, appeal has not been decided till date.

8. In view of the aforesaid reasons, this writ petition is ***disposed of*** with a direction to Respondent No. 2 to decide the Appeal No. 104 of 2021 (Computerized Case No. C202110000000104 expeditiously preferably within a period of four months from the date of service of certified copy of this order.

Order Date :- 16.12.2023

A. Mandhani