

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 6406 of 2023

Petitioner :- Ajay Prakash And 4 Others

Respondent :- The Court Of Additional Deputy Collector Sadar Distt.
Ayodhya And 11 Others

Counsel for Petitioner :- Arun Kumar Pandey

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

Hon'ble Shree Prakash Singh,J.

Heard learned counsel for the petitioners, learned Standing Counsel for the State, Sri Mohan Singh, learned counsel for the Gaon Sabha and perused the material placed on record.

The instant petition under Article 227 of the Constitution of India has been filed with the prayer to direct the opposite party no. 1 for expeditious disposal of the petitioners' application dated 14-07-2023 filed in partition suit no. 7700/2023, the suit for partition filed under section 116 of the U.P. Revenue Code and until disposal of the same, status quo to be maintained by the parties and not to raise any construction over the land in question bearing gata no. 1056, situated in village-Ankaripur(Out of Nagar Palika), Pargana-Amsin, Tahsil-Sadar, Distict-Ayodhya, within a short reasonable period to be prescribed by this Hon'ble Court.

Learned counsel appearing for the petitioners submits that application of the petitioners filed in partition suit no. 7700 of 2023 is pending since 14-07-2023 and the same has not been decided as yet.

After arguing at length, learned counsel appearing for the petitioners submits that interest of justice would be sub-served if this Hon'ble Court may be pleased to direct the opposite party no. 1 to decide the application of the petitioners dated 14-07-2023 within the stipulated period of time as may be fixed by this court.

Learned State counsel as well as learned counsel for the Gaon Sabha have no objection.

Considering aforesaid innocuous prayer, the opposite party no. 1 is directed to consider and decide the application of the petitioners dated 14-07-2023 filed in partition suit no. 7700 of 2023, within a period of 30 days, from the date a certified copy of this order is produced before it, in accordance with law, after affording opportunity of hearing to all the parties concerned, if there is no legal impediment.

The aforesaid order is subject to cooperation of the petitioners.

It is further provided that the authority concerned shall not grant any unnecessary adjournment to either of the parties.

For the period of 30 days, the parties shall maintain status-quo over the land in question and this period of 30 days will not be extended any more.

With the aforesaid observation, the instant petition stands **disposed of**.

Order Date :- 21.12.2023

AKS