

Court No. - 18

Case :- WRIT - C No. - 11248 of 2023

Petitioner :- Mohd. Karim

Respondent :- State Of U.P. Thru. Prin. Secy., Revenue, Lko.
And Others

Counsel for Petitioner :- Rajeev Kumar Dwivedi

Counsel for Respondent :- C.S.C.

Hon'ble Shree Prakash Singh,J.

1. Heard Sri Rajeev Kumar Dwivedi, learned counsel for the petitioner, learned additional chief standing counsel for the State and perused the record.

2. Instant petition has been filed with following reliefs:-

a. Issue a writ order or direction in the nature of certiorari to quash the impugned order dated 21.06.2023 passed in Revision No. 2291 of 2022 by the court of opposite party no. 2 i.e. Upper Commissioner (Judicial) Ayodhya Division Ayodhya in the interest of justice.

b. Issue a writ order or direction in the nature of mandamus thereby commanding the opposite party no. 2 to hear and decide the stay vacation application dated 22.06.2023 moved in Revision No. 2291 of 2022 pending before the court of opposite party no.2 i.e. Upper Commissioner (Judicial) Ayodhya Division Ayodhya in the interest of justice.

c. Issue any other suitable order or direction which this Hon'ble Court deems fit and proper in the present circumstances of the case, in favour of the petitioner.

d. Allow the writ petition with cost, in favour of the petitioner.

3. Learned counsel for the petitioner submits that the private respondents no. 3 and 4 moved a revision wherein, the interim order was passed, whereafter, the petitioner, moved a stay application on 22.06.2023 which is pending consideration. He added that interest of justice would be sub-served if this Hon'ble Court would be pleased to direct the revisional court to decide the stay vacation application dated 22.06.2023 within a

stipulated period of time as may be fixed by this Court.

4. Learned counsel for the State has no objection to the contention aforesaid.

5. In view of the aforesaid innocuous prayer, the opposite party no. 2 is hereby directed to consider and decide the stay vacation application dated 22.06.2023 moved in revision no. 2291 of 2022, within a period of eight weeks, 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 :- 21.12.2023

Mayank