

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 6491 of 2023

Petitioner :- Anand Kumar

Respondent :- Revenue Board U.P. Distt. Lko. Thru. Chairman
And 5 Others

Counsel for Petitioner :- Ravindra Kumar Singh

Counsel for Respondent :- C.S.C., Namit Sharma, Vishal
Kumar Upadhyay

Hon'ble Shree Prakash Singh, J.

1. Heard Shri Ravindra Kumar Singh, learned counsel for the petitioner, learned Standing Counsel for the State and Shri Vishal Kumar Upadhyay, learned counsel for the respondent no.3 i.e. Nagar Nigam, Lucknow, who has filed his vakalatnama, which is taken on record.

2. The instant petition has been filed with the following reliefs:-

"Wherefore, it is most respectfully prayed that this Hon'ble High Court may graciously be pleased to:-

i. direct the concerned court i.e. Opposite Party No.1 to decide the case related with Review Application filed under ORDER 47 RULE I read with Section 151 Civil Procedure Code against the order dated 06-07-2023 passed in the Appeal No/892/2020, under section 331(4) U.P.Z.A. & L.R. Act (Anand Kumar & Another Vs Jitendra Maurya and others) bearing Review No.2245 of 2023 (Anand Kumar & Another Vs Jitendra Maurya & others) pending in the court of Revenue Board, U.P., Lucknow, expeditiously within the stipulated period of time as fixed by this Hon'ble High Court, in the interest of justice.

ii. direct the concerned court i.e. Opposite Party No.1 to decide the Stay Application/Interim Application related with the said Review Application filed under ORDER 47 RULE 1 read with Section 151 Civil Procedure Code against the order dated 06-07-2023 passed in the Appeal No/892/2020, under section 331(4) U.P.Z.A. & L.R. Act (Anand Kumar & Another Vs Jitendra Maurya and others) bearing Review No.2245 of 2023 (Anand Kumar & Another Vs Jitendra Maurya and others) pending in the court of Revenue Board, UP, Lucknow, expeditiously within the stipulated period of time as fixed by this Hon'ble High Court, in the interest of justice.

iii. direct the both parties to maintain the status qua in respect of the land in question as mentioned in the Review Application filed under ORDER 47 RULE 1 read with Section 151 Civil Procedure Code against the order

dated 06-07-2023 passed in the Appeal No/892/2020, under section 331(4) U.P. Zamindari Abolition and Land Reforms Act (Anand Kumar & Another Vs Jitendra Maurya and others) as Review No 2245 of 2023 (Anand Kumar & Another Vs Jitendra Maurya and others) pending in the court of Revenue Board. UP, Lucknow, in the interest of justice, equity and good conscience till the disposal of the said Review Application."

3. The contention of the learned counsel for the petitioner is that the review petition is pending before Board of Revenue wherein an application for seeking interim relief is also pending. He submits that the interest of justice would be subserved if this Hon'ble Court may be pleased to direct the Board of Revenue to decide the interim relief application, within stipulated period of time as may be fixed by this Court.

4. The Counsels appearing for the State as well as private respondents have no objection to the contention aforesaid.

5. In view of the aforesaid submissions and innocuous prayer, the Board of Revenue is hereby directed to decide the interim relief application pending in the review application No. 2245 of 2023 (Anand Kumar & Another Vs Jitendra Maurya and others), within period of one month from the date of production of this order, before the same.

6. In view of the aforesaid observations, the instant petition is hereby **disposed of**.

7. Till the interim relief application of the petitioner is decided by the Board of Revenue, the parties shall maintain status quo over the land in question, as exists on today.

8. It is clarified that the period of the interim benefit is granted till the decision taken by the Revenue Board, in the interim relief application of the petitioner.

Order Date :- 22.12.2023
Mohd. Sharif