

Court No. - 4

Case :- WRIT - C No. - 5102 of 2024

Petitioner :- Ashok Kumar Dwivedi

Respondent :- Addl. Commissioner Judicial And 25 Others

Counsel for Petitioner :- Ajay Kumar Pandey

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

Hon'ble Syed Qamar Hasan Rizvi,J.

1. Heard Shri Ajay Kumar Pandey, learned counsel for petitioner, Shri Anand Kumar Singh, learned Standing Counsel for the State/respondent no. 1, Shri Mohan Singh, learned counsel for Gram Sabha/respondent no. 4.

2. By means of the present writ petition under Article 227 of the Constitution of India, the petitioner has sought following prayer:-

"(i) issue a writ, order of direction in the nature of Certiorari thereby quashing the impugned order dated 18.05.2024, passed by opposite party no. 1 i.e. Additional Commissioner (Judicial)-II, Ayodhya Division, Ayodhya in Appeal No. 615/2024, Computerized Case No. C-202404000000615 (Krishna Devi Vs. Anand Kumar and others) under Section 207 of U.P. Revenue Code, 2006, as contained in Annexure No. 1 to this writ petition."

3. After arguing at some length, learned counsel for the petitioner confines his relief and prayed that the present writ petition may be disposed of by this Court with a direction to the learned Additional Commissioner (Judicial)-II, Ayodhya Division, Ayodhya - respondent no. 1 to decide the pending First Appeal within the time stipulated by this Court.

4. On being specifically enquired from learned counsel for the petitioner that whether petitioner has moved any urgency application for early disposal of the above-noted First Appeal to demonstrate the urgency in the case before the Court concerned, learned counsel for the petitioner answered in negative and submitted that no such application has been preferred before the

Court concerned and petitioner has approached this Court directly seeking relief for quashing of the impugned order dated 18.05.2024 passed in the aforesaid pending Appeal.

5. At this stage, learned counsel for the petitioner further prayed for a liberty to be granted to the petitioner to move an urgency application for early disposal of the aforesaid First Appeal pending before the Court concerned and submitted that it would be expedient in the interest of justice that a direction be issued by this Court that if such an application is preferred by the petitioner before the respondent no. 1, the same may be decided by the Court concerned within the stipulated time to be fixed by this Court.

6. Learned Standing Counsel has expressed his no-objection to the limited prayer as made by learned counsel for the petitioner.

7. On the request of learned counsel for the petitioner and without advertng on the merit of the case, the present petition is **disposed of** with liberty to the petitioner to move an urgency application in aforesaid Appeal No. 615/2024, Computerized Case No. C-202404000000615 (Krishna Devi Vs. Anand Kumar and others) filed under Section 207 of U.P. Revenue Code, 2006 before respondent no. 1. In case such an urgency application is preferred before the court concerned, it is expected that respondent no. 1 shall decide the urgency application as expeditiously as possible strictly in accordance with law, after affording due opportunity of hearing to the parties concerned and without providing any unnecessary adjournment to either of the parties. It is further directed that no unnecessary adjournments be granted to either of the parties and the adjournment, if prayed for, will be permissible to be granted only in exceptional circumstances.

Order Date :- 6.6.2024/Virendra