

Court No. - 4

Case :- MATTERS UNDER ARTICLE 227 No. - 2979 of 2024

Petitioner :- Mohammad Sabir And 5 Others

Respondent :- Sub Divisional Officer Tahsil Mohammadi
Distt. Lakhimpur Kheri And 9 Others

Counsel for Petitioner :- M.A. Siddiqui

Counsel for Respondent :- C.S.C.

Hon'ble Subhash Chandra Sharma,J.

Vakalatnama filed on behalf of the opposite party no.2 today is taken on record.

Heard learned counsel for the petitioner as well as learned counsel for the opposite party no.2 alongwith learned C.S.C. and perused the material on record.

The present petition has been filed with following prayers :-

(I) to direct the opposite party no.1 to pass order on the application for interim relief pending before it immediately or at least by the next date fixed i.e. 20.06.2024.

(II) to issue any other suitable and appropriate order or direction to which this Hon'ble Court deems just and proper in the circumstances of the case in favour of the petitioners and allow this petition.

It is submitted by learned counsel for the petitioner that an appeal against the order passed by learned Nayab Tehsildar is pending before respondent no.1 i.e. the learned court of S.D.O. in which an application for interim relief was also filed but it is still pending, therefore, request to direct the learned court to decide the application for interim relief pending before it as expeditiously as possible.

Learned counsel for the opposite party no.2 opposed the prayer as aforesaid and contended that in this case on merit no any interim relief can be granted in favour of the petitioner as there is no urgency in it.

Considering the facts and circumstances of the case, submissions made by learned counsel for both the parties, it is expedient to direct the respondent no.1 i.e. Sub Divisional Officer to pass appropriate order on interim application pending

before it after hearing both the parties, in accordance with law within a period of **30 days** from the date of production of certified copy of this order.

Accordingly, this petition is ***disposed of*** with the above direction.

Order Date :- 24.6.2024

Ashok Gupta