SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS UKHC010188802026 2026:UHC:10194
			UKHC010188802026 **WPMS/3292/2026** Budhi Ram Bijalwan --Petitioner **Versus** Anant Ram --Respondent **Hon'ble Rakesh Thapliyal, J.** Mr. Suryakant Maithani, learned counsel for the petitioner. 2. Ms. Swati Verma, learned Brief Holder for the State of Uttarakhand. 3. Ms. Anjali Bhargava, learned counsel for the respondent no.3. 4. By the instant petition, the petitioner who is a senior citizen and 81 years old is praying for the following reliefs:- *"a. A writ, order or direction quashing the impugned judgment and order dated 09.06.2026 passed by the Board of Revenue, Uttarakhand, Dehradun in Revision No. 07 of 2024-25, "Budhi Ram Bijalwan v. Anant Ram and other" (annexed as Annexure No. 10, Page no. 88-93 to this writ petition);* *b. A writ, order or direction quashing the order dated 11.09.2024 passed by the Assistant Collector (First Class), Narendra Nagar, District Tehri Garhwal in Miscellaneous Case No. 08/2022-23, "Anant Ram v. Budhi Ram Bijalwan and others" (annexed as Annexure No. 8, Page no.75-76 to this writ petition);* *c. A writ, order or direction to dismiss the applications dated 27.02.2023 under Order 9 Rule 13 CPC and Section 5 of the Limitation Act (annexed as Annexure No. 6(Colly), Page no. 59-66 to this writ petition);* *d. A writ, order or direction to declare that the judgment and decree dated 08.09.2022 (annexed as Annexure No. 5, Page no. 50-58 to this writ petition) stands restored and operative.* *e. Any other writ order or direction which this Hon'ble Court may deem fit and proper in the facts*

			and circumstances of the case." 5. The brief facts of the case are that the petitioner filed a suit under Section 229B of the U.P.ZA&LR Act, which was decreed *ex parte* on 08.09.2022, and thereafter the defendant moved an application under Order 9 Rule 13 of CPC for recalling the *ex parte* decree, which was allowed on 11.09.2024. Against the said order recalling the *ex parte* decree the petitioner, herein, filed a revision, however, the revision was dismissed by the Board of Revenue by order dated 09.06.2026. Now being aggrieved with the order of the Board of Revenue, the instant petition is moved under Article 227 of the Constitution of India. 6. It is submitted by the learned counsel for the petitioner that the petitioner and the respondent's father are the real brother hence the respondent no.1 is nephew. He further placed before this Court a settlement in between the petitioner and the respondent no.1 dated 21.07.2026, wherein, it was amicably settled that 12 Naali of land which is the subject matter of the suit in question after demarcation shall be handed over to the first party to the agreement, who is the petitioner, herein, and remaining land will remain with the respondent no.1. Admittedly, the suit has been revived pursuant to the order of the Assistant Collector 1st Class, dated 11.09.2024, and the proceeding is going on. 7. It is submitted that since the parties have settled their dispute relating to the original suit, therefore, there is no useful purpose to continue with the original suit, which has now been revived. Since the copy of the settlement has not been placed before the concerned court where the suit is pending, a liberty is given to the petitioner to place on record the copy of the settlement before the Assistant Collector 1st Class, where the original suit is pending within 15 days' from today, and thereafter the Assistant Collector 1st Class may proceed with the suit and decide the same after considering the in between the parties

			settlement within six weeks' thereafter. 8. In the meantime, since the parties have settled their dispute and the suit is also revived, the parties are restrained from creating any third party interest over the suit property till the final outcome of the suit in terms of settlement. 9. Subject to the observation and direction as above, the writ petition is disposed of finally. **(Rakesh Thapliyal, J.)** 04.11.2026 Nitesh/