

Court No. - 7

Case :- MATTERS UNDER ARTICLE 227 No. - 1573 of 2024

Petitioner :- Saroj Kumari

Respondent :- Apar Commissioner, Administration, Ayodhya Division, Ayodhya And Others

Counsel for Petitioner :- Sujeet Kumar Sahu

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

Hon'ble Saurabh Lavania,J.

At the very outset, learned counsel for the petitioner says that some proforma party(s) have been left to be impleaded in this petition, as such, he may be permitted to implead the same during the course of the day.

The prayer made is acceded as the same has not been opposed by the side opposite.

In view of above, learned counsel for the petitioner is permitted to implead said the proforma party(s) during the course of the day.

Heard learned counsel for the parties.

In view of order proposed to be passed, issuance of notice to the private-respondents is hereby dispensed with.

By means of this petition, the petitioner has sought the following main relief:-

"A. Issue an order or direction to the opposite party no.1 to decide the appeal filed under section 24 (4) of U.P. Revenue Code, 2006 which was filed against the order dated 03.01.2024 in case no. 43/2024, computerized case no. T202404230700043, name and style as Saroj Kumari Vs. Gram Sabha Holupur relating to land gata no. 312, area 0.108 H, situated at village Holupur, paragana Basaudi, Tehsil- Rudauli, District- Ayodhya pending in the court of opposite party no.1 within stipulated time contained as Annexure No.4 to this petition."

Considering the facts of the case, as indicated in this petition, as also the relevant provisions i.e. Rule 183(4) of the U.P. Revenue Code Rules, 2016 made under U.P. Revenue Code, 2006 and para 458(2) of U.P. Revenue Court Manual, as per which, a

revision or appeal should be decided preferably within six months and further that the authority who is vested with the power to grant final relief can also grant an interim relief (***see: U.P. Police Avas Nigam Karmik Sangh, Lko v. Registrar, Trade Union, U.P. Kanpur, 1997 (15) LCD 44***), the present petition is disposed of in following terms:-

(i) The respondent No.1/Apar Commissioner (Administration), Ayodhya Division, Ayodhya shall consider and decide the appeal in issue expeditiously after affording full opportunity of hearing to the parties to the litigation and without granting any adjournment to either party preferably within a period of six months from the next date fixed in the case after taking note of aforementioned provisions.

(ii) The application preferred by the petitioner seeking interim relief alongwith the appeal in issue shall also be considered and disposed of expeditiously say within a period of two months from today.

It is made clear that the Court has not examined the case of either party on merits and the authority concerned shall be free to decide the matter strictly in accordance with law.

With the aforesaid, the petition is ***disposed of***.

Order Date :- 29.3.2024

Arun/-