

# **Pramod Kumar vs State Of U.P. Thru. Prin. Secy. Revenue, ... on 28 March, 2025**

**Author: Saurabh Lavania**

**Bench: Saurabh Lavania**

HIGH COURT OF JUDICATURE AT ALLAHABAD, LUCKNOW BENCH

?Neutral Citation No. - 2025:AHC-LK0:17778

Court No. - 7

Case :- MATTERS UNDER ARTICLE 227 No. - 1709 of 2025

Petitioner :- Pramod Kumar

Respondent :- State Of U.P. Thru. Prin. Secy. Revenue, Lko. And Others

Counsel for Petitioner :- Sudhir Kumar Rai

Counsel for Respondent :- C.S.C.,Shobh Nath Pandey

Hon'ble Saurabh Lavania,J.

Heard.

In view of order proposed to be passed, issuance of notice to the private-respondent(s) is hereby dispensed with.

The instant petition has been preferred seeking following main relief(s):-

"i. Issue any appropriate order or direction to opposite party no-3 to consider and decide the Partition Suit Case no. 804/2023,bearing Case Computerized Case No.

T202304230300804 (Pramod Kumar ors. Versus Santosh Kumar & others) under section 116 U.P. Revenue Code 2006 filed by the petitioner which is pending before opposite party no- 3 since 2023."

Taking note of Rule 109(10) of U.P. Revenue Code Rules, 2016 made under the U.P. Revenue Code, 2006, as per which, a suit for partition preferred under Section 116 of the Code of 2006 should preferably be decided within a period of six months, however, in the instant case, the case, in issue, has not been disposed of till date despite the fact that the same is pending since 2023 and on account of pendency of the same, the petitioner, as stated, is suffering great hardship and mental agony, this Court is of the view that no fruitful purpose will be served in keeping this petition pending.

Accordingly, this petition is disposed of with a direction to the respondent No.3/Sub Divisional Officer, Tehsil- Bikapur, District- Ayodhya to consider and decide the Case No.804/2023, Computerized Case No. T202304230300804 (Pramod Kumar ors. Versus Santosh Kumar & others) most expeditiously after affording full opportunity of hearing to the parties to the litigation and without granting unnecessary adjournment to either party preferably within a period of six months from the next date fixed in the case, if there is no other legal impediment in this regard.

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 :- 28.3.2025 Arun/-