

# Chaitu vs Sub Divisional Magistrate Judicial ... on 28 March, 2025

**Author: Saurabh Lavania**

**Bench: Saurabh Lavania**

HIGH COURT OF JUDICATURE AT ALLAHABAD, LUCKNOW BENCH

?Neutral Citation No. - 2025:AHC-LK0:17794

Court No. - 7

Case :- MATTERS UNDER ARTICLE 227 No. - 1720 of 2025

Petitioner :- Chaitu

Respondent :- Sub Divisional Magistrate Judicial Tahsil Rudauli Distt. Faizabad Now Ayod

Counsel for Petitioner :- Narendra Bahadur Singh

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

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) to issue order or direction to the Court of Sub-Divisional Magistrate (Judicial), Tahsil Rudauli, District Faizabad now Ayodhya (opposite party No.1) to decide the

Case No.T-202504230701775; Chaitu Vs. Kuwara and others, under Section 144 U.P. Revenue Code, 2006, which is pending since 10.9.2024 and decide the same expeditiously within a stipulated time as fixed by this Hon'ble Court, contained in Annexure No.1 to the petition."

Taking note of para 458(1) of U.P. Revenue Court Manual, as per which, a suit preferred for declaration of rights should preferably be decided by the revenue court concerned within a period of one year from the date of filing of the same, however, in the instant case, the suit of such nature is pending since September, 2024 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. 1/Sub-Divisional Magistrate (Judicial), Tahsil Rudauli, District Faizabad now Ayodhya to consider and decide the Case No.T-202504230701775 (Chaitu Vs. Kuwara and 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 one year 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/-