

ITEM NO.6

COURT NO.8

SECTION XI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 5292/2019

(Arising out of impugned final judgment and order dated 29-10-2018 in MS No. 30314/2018 passed by the High Court Of Judicature At Allahabad, Lucknow Bench)

M/S ANTRIKSH LAND MARKS PVT. LTD.

Petitioner(s)

VERSUS

BOARD OF REVENUE & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.30648/2019-EXEMPTION FROM FILING O.T. and IA No.30647/2019-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 06-09-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE DINESH MAHESHWARI

For Petitioner(s)

Mr. Pradeep Kant, Sr. Adv.
Mr. E. C. Agrawala, AOR
Mr. Divyanshu Sahay, Adv.
Ms. Shardha Narayan, Adv.
Ms. Prashi Taygi, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

We are not inclined to interfere with the impugned judgment of the High Court, whereby the High Court has declined to entertain the Writ Petition as it was directed against an interlocutory order passed by the Board of Revenue, Uttar Pradesh.

Learned counsel for the petitioner submits that the question agitated by the petitioner is in fact about the maintainability of

proceedings before the Board of Revenue after the issue of title has attained finality.

In our opinion, that contention may be pursued before the Board of Revenue. The maintainability of proceedings may be decided by the Board of Revenue in accordance with law.

Considering the nature of controversy involved, we direct the Board of Revenue to dispose of the proceedings being Case No. RES/1811/2018/Lucknow expeditiously and not later than three months from receipt of copy of this order.

We also make it clear that the same be decided on its own merits and in accordance with law uninfluenced by any observation in the impugned judgment or the fact that this Court has declined to entertain the Special Leave Petition.

The Special Leave Petition is dismissed accordingly.

Pending applications, if any, stand disposed of.

(DEEPAK SINGH)
COURT MASTER (SH)

(VIDYA NEGI)
COURT MASTER (NSH)