
(2010) 05 AHC CK 0240

In the Allahabad High Court

Case No : Miscellaneous Single No. 2701 of 2010

Maharaj Kumar Mohd.Amir Ali Khan

APPELLANT

Vs

Special Judge Ayodhya Prakaran Lucknow and another

RESPONDENT

Date of Decision : 07-05-2010

Acts Referred:

Citation : (2010) 05 AHC CK 0240

Hon'ble Judges : Shri Narayan Shukla, J

Final Decision : Disposed Of

Judgement

Shri Narayan Shukla, J.—Heard Mr. Mohd. Arif Khan, learned Senior Advocate assisted by Mr. Mohd. Adil Khan, learned Counsel for the petitioner as well as Mr. Shobhit Mohan Shukla, learned Counsel for the opposite party No. 2.

2. Being aggrieved with the order dated 7th of April, 2010, passed by the Additional District Judge, Lucknow in Misc. Civil Appeal No. 236 of 1998, whereby the petitioner's application for summoning the original record of Khasra Plot Nos. 146 and 147, Khata No. 1862, situated at Mohalla Golaganj now known as RefieAamClub has been rejected, on the ground that the certified copy produced by the Revenue Authorities is sufficient. However, before this Court two documents for the same Khasras have been produced, one in Urdu script and another in Hindi script. The petitioner claims that the document produced in the Hindi script by the revenue authorities is different to the original document available in the record room. In this manner he ousted from the said documents.

3. Considering this fact I am of the view that the original document is necessary for proper adjudication of the case, therefore, I hereby direct the Incharge of Revenue Record Room, Lucknow to produce the record of Khasra Plot Nos. 146 and 147, Khata No. 1862 before the Court of appeal on the next date, which is fixed on 13th of May, 2010.

4. It is needless to say that the Court of appeal may accept the record in accordance with the Rules 52, 53 and 64 of the General Civil Rules and place it

on record.

5. The learned Counsel for the Lucknow Development Authority makes a prayer to expedite the disposal of appeal also.

6. Considering his request I hereby observe that the Court of appeal shall try to dispose of the appeal without giving any unnecessary adjournments to either of the parties.

7. Since no further adjudication is required in the matter, in the aforesaid terms, the writ petition is disposed of finally.