

Court No. - 51

Case :- WRIT - C No. - 30005 of 2023

Petitioner :- Raj Kumar

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Navin Kumar

Counsel for Respondent :- CSC,Pradeep Singh

Hon'ble Chandra Kumar Rai,J.

1. Heard Sri Navin Kumar, counsel for the petitioner, learned standing counsel for the state-respondents and Sri Pradeep Singh, learned counsel for the respondent-gaon sabha.

2. The instant writ petition has been filed, seeking a writ of mandamus, commanding respondent no.2-Sub Divisional Magistrate, Aurai, Sant Ravidas Nagar to decide Case No.2211/2023 (Computerized Case No.T202316670602211) (Suresh Kumar vs. Rajmani @ Barsati and Others), under Section 116 of the U.P. Revenue Code, 2006, within the stipulated time.

3. Counsel for the petitioner states that the aforementioned partition suit filed at the instance of private respondents, is pending since 26.4.2023 before respondent no.2. He further submitted that the certified copy of the order sheet has been annexed as Annexure No.3 to the writ petition, in order to demonstrate that the case is not proceeding according to the provisions of Rule 109(10) of the U.P. Revenue Code Rules, 2016.

4. In view of the facts and circumstances of the case, without expressing any opinion on the merits of the case, this petition is disposed of with the direction to respondent no.2 to decide the aforesaid proceedings to its logical conclusion, as expeditiously as possible, preferably within a period of 6 months, from the date of production of a certified copy of this order before the authority concerned, after affording proper opportunity of hearing to the parties concerned, in accordance with law.

Order Date :- 28.11.2023

C.Prakash