

Court No. - 47

Case :- WRIT - C No. - 31615 of 2023

Petitioner :- Shalu Mali

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Shiv Mangal Pandey

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

Hon'ble Manish Kumar Nigam,J.

Re: Civil Misc. Amendment Application No.2 of 2023

1. The present amendment application has been filed with the following prayer :

"It is, therefore, most respectfully prayed that this Hon'ble Court may graciously be pleased to allow this amendment application and petitioner may be permitted to make necessary amendment in the prayer clause of the application as well as in the body of the writ petition by incorporating therein as "u/s 34/35 of the U.P. Revenue Act, 1901" in place of "u/s 34/35 of the U.P. Revenue Code, 2006" so that justice be done, otherwise the applicant shall suffer irreparable loss and injury."

2. The amendment application is **allowed**.

3. Learned counsel for the petitioner is permitted to carry out necessary amendments during the course of the day.

Re: In Writ

1. Heard learned Counsel for the petitioners and learned Standing Counsel for the State.

2. The instant writ petition has been filed praying for a mandamus directing the respondent No.6, Tehsildar (Judicial), Tehsil-Sadar, District-Mirzapur to decide the Mutation Case No. 645 of 1998, Computerized Case No.T201316530100002 of 2013 under Section 34/35 of the U.P. Revenue Act, 1901.

3. Learned Counsel for the petitioner submitted that opposite party appeared before the court below. The aforesaid case is pending since 1998 before respondent no.6 for adjudication. He prayed that the same may be decided expeditiously.

4. From perusal of the order-sheet, annexed as Annexure No.3 to the writ petition, it appears that several dates have been fixed by the court concerned and the opposite party has appeared before the court below, however, till date, the aforesaid case has not been decided.

5. No useful purpose would be served in keeping this petition pending.
6. Considering the facts and circumstances of the case, without expressing any opinion on the merits of the case, the present petition stands **disposed of** finally with a direction to the respondent No.6, Tehsildar (Judicial), Tehsil-Sadar, District-Mirzapur to consider and decide the aforementioned case in accordance with law within a period of three months from the date of production of certified copy of this order after giving opportunity of hearing to the parties concerned and without granting unnecessary adjournments to either of the parties provided that there is no other legal impediment.

Order Date :- 18.10.2023

S. Singh