

Court No. - 6

Case :- WRIT - C No. - 33159 of 2023

Petitioner :- Ayub Khan

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Shiv Veer Singh, Rajiv Kumar Singh

Counsel for Respondent :- C.S.C.

Hon'ble Mrs. Manju Rani Chauhan, J.

Heard Mr. Shiv Veer Singh, learned counsel for the petitioner and learned Standing Counsel for the State-respondents.

Learned counsel for the petitioner, giving up all the other relief has confined his relief to the extent that a direction may be issued to the respondents to decide the pending petition which is filed U/s 6 (A) of the U.P. Panchayat Raj Act, 1947 by the petitioner before the prescribed officer/S.D.M. Baberu for passing the order to declare the respondent no.4 as disqualified for the post of Gram Pradhan for violating the provisions of Section 9 (7) of the U.P. Panchayat Raj Act, 1947.

Learned counsel for the petitioner submits that a petition filed by the petitioner under Section 6 (A) of U.P. Panchayat Raj Act, 1947 is pending before the prescribed officer/S.D.M. Tehsil-Baberu, District-Banda, therefore, a direction may be issued to the respondent no.3-S.D.M. Tehsil-Baberu, District-Banda to decide the same, as expeditiously as possible.

Learned Standing Counsel has no objection to the same.

No useful purpose would be served by keeping this petition pending in view of the order, which the Court proposes to pass hereunder.

Considering the facts and circumstance of the case and without

expressing any opinion on the merits of the case, this writ petition is finally **disposed off** with a direction to the respondent no.3-S.D.M. Tehsil-Baberu, District-Banda to decide the aforesaid petition of the petitioner, and pass appropriate order, in accordance with law, by means of a reasoned and speaking order, after giving opportunities of hearing to the parties concerned, as expeditiously as possible, without granting any unnecessary or long adjournments to either of the parties, preferably within a period of **two months**, from the date of production of certified copy of this order, if there is no legal impediment.

Order Date :- 26.10.2023

Kalp Nath Singh