

Court No. - 47

Case :- WRIT - C No. - 34272 of 2023

Petitioner :- Vijay Prakash Maurya And Another

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

Counsel for Petitioner :- Ravindra Kumar Yadav

Counsel for Respondent :- C.S.C., Bhupendra Kumar Tripathi

Hon'ble Manish Kumar Nigam, J.

1. Heard learned Counsel for the parties and perused the record.

2. The present petition has been filed for the following relief :

" I) Issue a writ order or direction in nature of mandamus direct the Tehsildar (Judicial), Tehsil Madiyahun, District Jaunpur to decide the new Mutation Case No.4462 of 2021 (Computerized Case No.T202114360604462) (Vijay Prakash and others Vs. Udai Raj) under Section 34 of the U.P. Revenue Code, 2006, Village Dhanipur, Pargana Barsathi, Tehsil Madiyahun, District Jaunpur expeditiously with a short time bound period as fixed by this Hon'ble Court."

3. Contention of learned Counsel for the petitioner is that in mutation proceedings, an order dated 27.12.2004 was passed by respondent no.3 in favour of the petitioner. Against the order dated 27.12.2004, an appeal was filed by the respondent no.4 and the same was allowed and the matter was remitted back to the respondent no.3 to decide the same within a period of one month after hearing all the parties. It has further been contended that since 2008, the matter is pending before the respondent no.3, but the same has not been finalized, though both the parties had appeared in the case.

4. No useful purpose would be served in keeping this petition pending.

5. 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.3, Tehsildar (Judicial), Tehsil Madiyahun, District Jaunpur to consider and decide the aforementioned case in accordance with law within a period of one month 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 :- 13.10.2023

S. Singh