

Court No. - 51

Case :- WRIT - C No. - 34629 of 2023

Petitioner :- Kesari Devi

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

Counsel for Petitioner :- Yakub Ali

Counsel for Respondent :- C.S.C.,Sudhir Bharti

Hon'ble Chandra Kumar Rai,J.

1.Heard Mr. Yakub Ali, learned counsel for the petitioner, Mr. Chandra Prakash Yadav, learned Standing Counsel for State-respondents and Mr. Sudhir Bharti, learned counsel for the respondent no.5- Gaon Sabha.

2.The instant writ petition has been filed praying for a mandamus directing respondent No.2/ Naib Tehsildar, Tehsil- Kaptanganj, District- Kushinagar to decide the mutation case bearing Case No. T202105440602944 (Kesari Dev vs. Dinesh) under Section- 35 of U.P. Revenue Code, 2006 within stipulated period.

3. Counsel for the petitioner submitted that the aforementioned mutation case is pending since 27.08.2021 before the respondent no.2 for adjudication.

4. Copy of order sheet has been annexed as Annexure No.4 to the writ petition in order to demonstrate that the case is not proceeding expeditiously.

5. Considering the facts and circumstances of the case, without expressing any opinion on the merits of the issue, the present petition stands **disposed of** finally with a direction to respondent No.2/ Naib Tehsildar, Tehsil- Kaptanganj, District- Kushinagar to consider and decide the aforementioned mutation case in accordance with law expeditiously and preferably 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.

Order Date :- 27.10.2023

Saif