

Court No. - 51

Case :- WRIT - C No. - 36749 of 2023

Petitioner :- Virendra And 2 Others

Respondent :- State Of U.P. And 8 Others

Counsel for Petitioner :- Anjali Singh

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

Hon'ble Chandra Kumar Rai,J.

1.Heard Ms. Anjali Singh, learned counsel for the petitioners, Mr. Rajesh Kumar Dwivedi, learned State Law Officer for State-respondents and Mr. Sudhir Bharti, learned counsel for respondent no.3/Gaon Sabha.

2.The instant writ petition has been filed praying for a mandamus directing respondent No.2/ Sub Divisional Officer, Tehsil- Sadar, District- Deoria to decide the Case No.176 of 2016 (Computerized Case No. T2016052001176) (Ram Kishun vs. Kedar Nath and Others) under Section- 176 of U.P.Z.A. & L.R. Act, 1950 within stipulated period.

3. Counsel for the petitioners submitted that the aforementioned partition suit is pending before the respondent no.2 since 2016 for adjudication. He further placed the copy of order sheet, which has been annexed as Annexure No.2 to the writ petition in order to demonstrate that the case is not proceeding expeditiously.

4. 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/Sub Divisional Officer, Tehsil- Sadar, District- Deoria to consider and decide the aforementioned partition suit in accordance with law expeditiously and preferably within a period of **four 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