

Court No. - 4

Case :- MATTERS UNDER ARTICLE 227 No. - 10638 of 2023

Petitioner :- Dwarika Nath

Respondent :- State of U.P.

Counsel for Petitioner :- Rajendra Prasad Singh

Counsel for Respondent :- CSC

Hon'ble Prakash Padia,J.

1. Heard learned counsel for the petitioner, learned Standing Counsel for the respondent-State and perused the record.
2. In view of the order proposed to be passed herein, no useful purpose would be served by putting the opposite party to notice and keeping this petition pending before this Court. However, in case the opposite party feels aggrieved by the order his/her right to seek modification/variation of the order is being kept reserved.
3. The basic relief sought by the petitioner in the present petition under Article 227 of the Constitution of India is to direct the court below to decide Suit No.183 of 2022 CNR No.UPCDO 50003022022 (Dwarika Nath Vs. State of U.P. through Collector, Chandauli) expeditiously.
4. It is argued by counsel for the petitioner that the suit was filed for grant of succession certificate. The matter is pending before the Court below since 2022 and considerable time has already been lapsed but till date no final decision has been taken in the matter.
5. It is clear from perusal of the order-sheet that till date nobody has put up his appearance on behalf of defendant in the suit.
6. In the facts and circumstances of the case, the present petition is disposed of directing the court concerned to decide the aforesaid suit strictly *in accordance with law* and without granting unnecessary adjournment unless there is no legal impediment.

Order Date :- 30.11.2023

Pramod Tripathi