

Court No. - 38

Case :- WRIT - C No. - 35486 of 2023

Petitioner :- Smt. Amrawati Devi

Respondent :- State Of U.P. And 16 Others

Counsel for Petitioner :- Digambar Dwivedi

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

Hon'ble Ashutosh Srivastava,J.

1. Heard Shri Digambar Dwivedi, learned counsel for the petitioner, Shri Sudhir Bharti, learned counsel, on behalf of the respondent no. 17, and learned Standing Counsel who has accepted notice on behalf of the State respondents.
2. Considering the nature of the order proposed to be passed notice upon the private respondents are hereby dispensed with.
3. At the very outset, learned counsel for the petitioner submits that his partition Suit No. 3919 of 2021, Computerized Case No. T202105200203919, (Amrawati Devi Vs. Prabhawati Devi) under Section 116 of the U.P. Revenue Code 2006, is pending consideration before the respondent no. 2 i.e. Sub Divisional Magistrate, Salempur, Deoria, and the purpose of filing present writ petition shall stands served if the appropriate directions are issued to the respondent no. 2 i.e. Sub Divisional Magistrate, Salempur, Deoria, to conclude and decide the case of the petitioner pending since the year 2021, within the time frame fixed by this Court.
4. This Court is also of the opinion that no useful purpose would be served by keeping the writ petition pending and the same is accordingly ***disposed of*** by requiring the respondent no. 2 i.e. Sub Divisional Magistrate, Salempur, Deoria, seized with the Suit No. 3919 of 2021, Computerized Case No. T202105200203919, (Amrawati Devi Vs. Prabhawati Devi), to consider and decide the case expeditiously, preferably within a period of three months, from the date of production of certified copy of order of this Court, strictly in accordance with law.

5. Needless to say that this Court has not expressed any opinion on the merits of the case and it shall be open for the respondent No. 2 to pass appropriate orders, strictly in accordance with law.

Order Date :- 13.10.2023

Deepak/