

Court No. - 51

Case :- WRIT - C No. - 35671 of 2023

Petitioner :- Ram Singh

Respondent :- State of U.P. and Another

Counsel for Petitioner :- Murtuza Ali, Imran Ali

Counsel for Respondent :- C.S.C.

Hon'ble Chandra Kumar Rai, J.

1. Learned counsel for the petitioner is permitted to implead private respondent in the array of the parties to the writ petition during course of the day.

2. Heard Mr. Murtuza Ali, learned counsel for the petitioner and Mr. Shridhar Tripathi, learned Standing Counsel for the State respondents.

3. The instant writ petition has been filed praying for a mandamus directing respondent No.2/ Tehsildar, Tehsil-Sada, District-Prayagraj (Allahabad) to decide the Case No.9582 of 2022 computerized No. T202202030309582 (Ram Singh Vs. Jai Prakash) under section 34 of U.P. Revenue Code, 2006 within stipulated period.

4. Learned counsel for the petitioner submitted that the aforementioned mutation case filed at the instance of the petitioner is pending before respondent No.2/ Tehsildar, Tehsil Sadar, District-Prayagraj (Allahabad) even after expiry of more than 1 year. He further placed certified copy of the order sheet, which has been annexed as Annexure No. 4 to the writ petition in order to demonstrate that the case is not proceeding, according to the provisions contained under Rule 34 (7) of U.P. Revenue Code, Rules 2016.

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/ Tehsildar, Tehsil-Sadar, District-Prayagraj (Allahabad) 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 :- 2.11.2023

PS*