

Court No. - 47

Case :- WRIT - C No. - 36232 of 2023

Petitioner :- Jagchhattar

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Harish Chandra

Counsel for Respondent :- C.S.C., Arun Kumar Pandey

Hon'ble Manish Kumar Nigam, J.

1. Heard learned counsel for the petitioner, learned Standing Counsel for the State and perused the record.

2. The instant writ petition has been filed for the following relief:

"i) a writ, order or direction in the nature of Mandamus directing the respondent no. 4 to decide the Case No. RST/00925/2018 Computerized Case No. T201813380200925 (Jagchhattar Singh and others Vs. State of Uttar Pradesh and others) Under Section 144 of U.P. Revenue Code, 2006, within specific period.

ii) a writ, order or direction in the nature of Mandamus directing the respondents not to dispossess the petitioner and other co-tenure holders from the gatas in dispute till the disposal of Case No. RST/00925/2018, Computerized Case No. T201813380200925 (Jagchhattar Singh and others Vs. State of Uttar Pradesh and others) Under Section 144 of U.P. Revenue Code, 2006, within specific period."

3. Contention of the learned counsel for the petitioner is that suit under Section 144 of U.P. Revenue Code, 2006 was decreed on 18.04.2022. Against the aforesaid order, a restoration application was filed by the respondent and the same was allowed on 30.06.2022. It has been further contended by learned counsel for the petitioner that since then the suit is pending and prays that as both the parties have appeared, the suit may be decided expeditiously.

4. No useful purpose would be served in keeping this petition pending.

5. Considering the facts and circumstances of the case, without expressing any opinion on the merits of the case, the present petition stands disposed of finally with a direction to respondent

No. 4 Assistant Collector, (Ist Class), Parganadhikari Dhanaura, District Amroha to consider and decide the aforementioned case, in accordance with law, expeditiously, preferably within a period of **six months** from the date of production of a certified copy of this order after giving opportunity of hearing to the parties concerned and without granting unnecessary adjournments to either of the parties provided that there is no other legal impediment.

Order Date :- 18.10.2023
Ved Prakash

(Manish Kumar Nigam, J.)