

Court No. - 47

Case :- WRIT - C No. - 36210 of 2023

Petitioner :- Dayakant Mishra

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Prem Shanker Mishra, Chandra Bhushan Mishra

Counsel for Respondent :- C.S.C.

Hon'ble Manish Kumar Nigam, J.

1. Heard learned counsel for the parties and perused the record.
2. The instant writ petition has been filed for issuance of a direction in the nature of mandamus commanding the respondent no. 2 to decide the appeal No. 1079 of 2023 (Computerized Case No. T-202302030401079) filed by the petitioner, under Section 35(2) of U.P. Revenue Code, 2006.
3. Today, supplementary affidavit has been filed by the learned counsel for the petitioner which is taken on record and from perusal of the same it is clear that all the opposite parties has appeared by means of caveat before the respondent no. 2 in the aforesaid appeal.
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. 2/Up-Ziladhikari, Tehsil Handiya, District Prayagraj to consider and decide the aforementioned appeal, in accordance with law, expeditiously, preferably within a period of **three 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 :- 1.11.2023

Ved Prakash

(Manish Kumar Nigam, J.)