

Court No. - 47

Case :- WRIT - C No. - 36198 of 2023

Petitioner :- Kallu Ram And 3 Others

Respondent :- State Of U.P. And 11 Others

Counsel for Petitioner :- Sandeep Srivastava

Counsel for Respondent :- C.S.C.,Azad Rai

Hon'ble Manish Kumar Nigam,J.

1. Heard learned Counsel for the parties and perused the record.

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

"(i) issue a writ, order or direction in the nature of mandamus commanding the learned court of Sub Divisional Magistrate, Tehsil Karchhana, District Prayagraj, which is herein as the respondent no.2 to decide the pending Suit No.8454 of 2023 Computerized Case No.T202302030508454 Kallu Ram and others Vs. Rajroop and others under Section 144 of U.P. Revenue Code, 2006 within stipulated period of time fixed by the Hon'ble Court so that the justice between the parties may be done."

3. Contention of learned Counsel for the petitioners is that petitioners have filed an application under Section 146 of the U.P. Revenue Code, 2006 for grant of interim relief. The aforesaid application is pending since 17.5.2023.

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 the respondent No.2, Sub Divisional Magistrate, Tehsil-Karchhana, District-Prayagraj to consider and decide the aforementioned application in accordance with law within a period of two 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 provided that there is no other legal impediment.

Order Date :- 18.10.2023

S. Singh