

Court No. - 51

Case :- WRIT - C No. - 36842 of 2023

Petitioner :- Shivshankar

Respondent :- State Of U.P. And 6 Others

Counsel for Petitioner :- Dhananjay Kumar Mishra

Counsel for Respondent :- CSC,Pradeep Singh

Hon'ble Chandra Kumar Rai,J.

1. Heard learned counsel for the petitioner, Mr. Sanjay Kumar Srivastava, learned State-Law Officer for the State-respondents and Mr. Pradeep Singh, learned counsel for respondent no.3- Gaon Sabha.

2. The instant petition has been filed for mandamus directing the respondent no.2 i.e. Assistant Collector / Parganadhikari, Sadar, District- Mirzapur to decide the Case NO.02071 of 2021, Computerized Case No.T202116530102071 (Shivshankar vs. Baikunth Nath and Others), under Section 116 of U.P. Revenue Code, 2006 within stipulated period.

3. Learned counsel for the petitioner submitted that the aforementioned case, under section 116 of U.P. Revenue Code, 2006 is pending before respondent no.2 since 5.2.2021. He further submitted that the copy of order sheet of the case has been annexed as Annexure No.2 to the petition in order to demonstrate that the case is not proceeding according to the provisions contained under Rule 109 (10) of U.P. Revenue Code Rules, 2016.

4. Without expressing any opinion on merits of the case and keeping in view of the facts and circumstances, respondent no.2 is directed to decide the aforementioned case on merits after giving an opportunity of hearing to the parties in accordance with law expeditiously preferably within a period of six months from the date of production of certified copy of this order before him.

5. Accordingly, the writ petition is finally ***disposed of.***

Order Date :- 27.10.2023

Rameez