

Court No. - 47

Case :- WRIT - C No. - 37170 of 2023

Petitioner :- Ram Palat

Respondent :- State Of U.P. And 10 Others

Counsel for Petitioner :- Neelam Singh

Counsel for Respondent :- C.S.C., Rameshwar Prasad Shukla

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 present petition has been filed with the following prayer:

"(i) Issue a writ, order or direction in the nature of mandamus directing the respondent no. 3 to decide the case no. T202315510403235 (State Vs. Sarkar) along with other related cases expeditiously within stipulated period as soon as possible."

3. Contention of learned counsel for the petitioner is that the proceedings under Section 38(2) of the U.P. Revenue Code, 2006 are pending since 2022, but the opposite parties have not put in their appearance before the court below.

4. From perusal of the order sheet, annexed as Annexure No. 5 to the writ petition, it appears that several dates have been fixed by the Court concerned, however, till date, the aforesaid case has not been decided.

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

6. 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. 3 Sub-Divisional Magistrate, Mohammdabad Gohna, District- Mau 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 :- 30.10.2023

Nitika Sri.

(Manish Kumar Nigam, J.)