

Court No. - 51

Case :- WRIT - C No. - 36844 of 2023

Petitioner :- Abhijeet Singh

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Manu Mishra

Counsel for Respondent :- CSC, Sudhir Bharti

Hon'ble Chandra Kumar Rai, J.

1. Heard learned counsel for the petitioner, Mr. Anil Srivastava, learned Standing Counsel for the State-respondents and Mr. Sudhir Bharti, learned counsel for the respondent- Gaon Sabha.

2. The instant petition has been filed for mandamus directing the respondent no.3 i.e. Additional Commissioner (Administration)-IVth, Gorakhpur Division, Gorakhpur to decide the Appeal No.00151 of 2020 (Computerized Case No.C202005000000151) (Abhijeet vs. Rampyare Singh), under Section 38 (4) of U.P. Revenue Code, 2006 within stipulated period.

3. Learned counsel for the petitioner submitted that against the order passed in the proceeding under Section 38 of U.P. Revenue Code, 2006, appeal under Section 38 (4) of U.P. Revenue Code, 2006 filed on behalf of the petitioner is pending before respondent no.3. He further placed the copy of order sheet of the case, which has been annexed as Annexure No.2 to the petition in order to demonstrate that the case is not proceeding expeditiously.

4. Without expressing any opinion on merits of the case and keeping in view of the facts and circumstances, respondent no.3 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 three 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 :- 9.11.2023

Rameez