

Court No. - 47

Case :- WRIT - C No. - 36728 of 2023

Petitioner :- Jai Prakash And 2 Others

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

Counsel for Petitioner :- Shachindra Kumar Mishra

Counsel for Respondent :- C.S.C.,Sudhir Bharti

Hon'ble Manish Kumar Nigam,J.

1. Heard learned counsel for the petitioners, learned Standing Counsel for the State and perused the record.

2. The instant writ petition has been filed with the following prayer:-

"(i) Issue an appropriate writ, order or direction in the nature of certiorari quashing the impugned notice dated 23.08.2018 and its proceeding under Section 67 of the Revenue Code, 2006, which is started by respondent no.4.

(ii) Issue any other or further writ, order or direction in the mandamus to respondents no.2 & 3 to take decision on the exchange proposal of the petitioners and respondent no.5 which is pending in the Suit No.T202205200402285, under Section 101 of the Revenue Code."

3. Admittedly, no order under Section 67 of U.P. Revenue Code has been passed against the petitioners till date and proceeding for exchange of land under Section 101 of U.P. Revenue Code is pending.

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 respondents no.2 & 3 to take decision on the exchange proposal of the petitioners and respondent no.5 which is pending in the Suit No.T202205200402285, under Section 101 of the Revenue Code, 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 :- 26.10.2023

Pravesh Mishra