

Court No. - 47

Case :- WRIT - C No. - 37145 of 2023

Petitioner :- Satyadev Singh

Respondent :- State Of U.P. And 12 Others

Counsel for Petitioner :- Om Singh Rathaur

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 instant writ petition has been filed for following relief:

"a. Issue, a writ, order or direction in the nature of mandamus commanding/directing the respondent no. 2 to expeditiously dispose/decide the Appeal No. 152/B, Computer Case No. C202315000000587, "Satyadev Singh v. Kunwar Ajeet Singh and others", regarding the Gata No. 2452 Section 38(4) of the U.P. Land Revenue Code, 2006, situated Village-Mauja Bairia, Paragana-Dwaba, Tehsil-Bairia, District Ballia, pending before the Commissioner, Azamgarh Division, Azamgarh."

3. Contention of the learned counsel for the petitioner is that the appeal is pending for admission and the court below/respondent no. 2 fixing dates after two months which is clear from the order sheet filed at page no. 75 of the paper book. It is further contented by learned counsel for the petitioner that the respondents are going to alienate the property in dispute as stated in paragraph no. 14 of the writ petition.

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 respondent No. 2/Commissioner, Azamgarh Division, Azamgarh to consider and decide the aforementioned appeal, 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.

6. Till disposal of the appeal, no third party rights will be created by either of the parties.

Order Date :- 30.10.2023/Ved Prakash