

Court No. - 51

Case :- WRIT - C No. - 37042 of 2023

Petitioner :- Smt. Vidyawati Devi

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Omkar Nath Rai

Counsel for Respondent :- C.S.C

Hon'ble Chandra Kumar Rai,J.

1. Heard Sri Omkar Nath Rai learned counsel for the petitioner and learned Additional Chief Standing Counsel for the State-respondents.

2. The instant writ petition has been filed praying for a mandamus directing respondent no.2/ Naib Tehsildar Tarya, Tehsil Tamkuhiraj, District Kushinagar to consider and decide the Case No.08975/2019, Computerized Case No.T201905440308975 (Smt. Vidyawati Devi vs. Ishhaq), under Section 35 U.P. Revenue Code 2006, pending before him within a stipulated period.

3. Learned counsel for the petitioner submitted that the aforementioned case is pending since 04.12.2019 for adjudication. He further placed certified copy of the order sheet, which has been annexed as Annexure No.3 to the writ petition in order to demonstrate that the case is not proceeding, according to the provisions contained under Rule 34(7) of U.P. Revenue Code Rules 2016.

4. Considering the facts and circumstances of the case, without expressing any opinion on the merits of the issue, the present petition stands disposed of finally with a direction to respondent no.2 to consider and decide the aforementioned case in accordance with law expeditiously and preferably within a period of two months from the date of production of certified copy of this order after giving opportunity of hearing to the parties concerned and without granting unnecessary adjournments to either of the parties.

Order Date :- 28.10.2023

Jitendra