Court No. - 47

Case :- WRIT - C No. - 37105 of 2023

Petitioner :- Mushtak Ali
Respondent :- State Of U.P. And 3 Others
Counsel for Petitioner :- Omkar Nath Rai
Counsel for Respondent :- C.S.C.

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 praying for a mandamus directing respondent No. 2 to decide the Case No. 1218/2022, Computerized Case No. 1218/2022, Computerized Case No. T202205440301218 (Mushtak Ali v. Amarullah), under Section 35 of the U.P. Revenue Code, 2006 within stipulated period.

3. Learned counsel for the petitioner states that opposite party appeared before the court below and objections have been filed. The aforesaid case is pending since 2022 before respondent No. 2 for adjudication. He prayed that the same may be decided, expeditiously.

4. From perusal of the order sheet, annexed as Annexure No. 3 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. 2/Naib Tehsildar Duodhahi, Tehsil Tamkuhiraj, District Kushinagar to consider and decide the aforementioned case, 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 :- 30.10.2023
Ved Prakash

(Manish Kumar Nigam, J.)

Digitally signed by :-
VED PRAKASH SHARMA
High Court of Judicature at Allahabad