Court No. - 51

Case :- WRIT - C No. - 37445 of 2023

Petitioner :- Shyam Narayan Tripathi
Respondent :- State Of U.P. And 15 Others
Counsel for Petitioner :- Rajesh Kumar Tiwari
Counsel for Respondent :- C.S.C,Azad Rai

Hon'ble Chandra Kumar Rai,J.

1. Heard Sri Rajesh Kumar Tiwari, learned counsel for the petitioner, Sri Chandra Prakash Yadav, learned standing counsel for the state respondent and Sri Azad Rai, learned counsel for the respondent-gaon sabha.

2. The instant writ petition has been filed, seeking a writ of mandamus, commanding respondent no.2/Sub Divisional Magistrate, Phoolpur, District Prayagraj to decide the Case No.68/2021 (Shyam Narayan Tripathi and Others vs. Mithai Lal and Others), under Section 144 of the U.P. Revenue Code, 2006, within the stipulated time.

3. Counsel for the petitioner states that the aforementioned suit filed by the petitioner under Section 144 of the U.P. Revenue Code, 2006 is pending even after expiry of more than 2 years. He further placed the certified copy of the order sheet, which has been annexed as Annexure No.2 to the writ petition, in order to demonstrate that the case is not proceeding expeditiously.

4. In view of the facts and circumstances of the case, without expressing any opinion on the merits of the case, this petition is disposed of with the direction to respondent no.2 to decide the aforesaid proceedings to its logical conclusion, as expeditiously as possible, preferably within a period of 6 months, from the date of production of a certified copy of this order before the authority concerned, after framing issues and giving parties to lead evidence, in accordance with law.

Order Date :- 31.10.2023
C.Prakash

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