

Court No. - 51

Case :- WRIT - C No. - 37707 of 2023

Petitioner :- Smt. Saiyada Begum

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Aqeel Ahmad

Counsel for Respondent :- C.S.C.

Hon'ble Chandra Kumar Rai,J.

1. Heard Mr. Aqeel Ahmad, Counsel for the petitioner and Mr. Rajesh Kumar Dwivedi, learned State Law Officer for State-respondents.

2. The instant writ petition has been filed praying for a mandamus directing respondent No.2, Sub Divisional Magistrate, Tehsil Nizamabad, District- Azamgarh to decide the case No. RST/ 2288/ 2016, Computerized case No. T20161506022288 (Smt. Saiyda Begum Vs. Shri Shamsher Ahmad and Lukman Ahmad and Tabrez Ahmad) under Section 207 of U.P. Revenue Code, 2006 within stipulated period.

3. Counsel for the petitioner submitted that appeal filed under Section 207 of the U.P. Revenue Code, 2006 on behalf of the petitioner is pending since 2016.

4. On the other hand, Mr. Rajesh Kumar Dwivedi, learned State Law Officer for State-respondents submitted that order allowing the appeal of the petitioner has been set aside in revision by the Revisional Court vide order dated 28.2.2017 and matter has been remitted back to the Appellate Court to decide the appeal afresh accordingly, the appeal is pending in pursuance of the remand order.

5. 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, Sub Divisional Magistrate, Tehsil Nizamabad, District- Azamgarh to consider and decide the aforementioned appeal in accordance with law expeditiously and preferably within a period of **three 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 :- 1.11.2023

Vandana Y.