

**Court No. - 47**

**Case :-** WRIT - C No. - 38494 of 2023

**Petitioner :-** Basmati

**Respondent :-** State Of U.P. And 10 Others

**Counsel for Petitioner :-** Narendra Kumar, Doodh Nath Yadav

**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, Shri Rameshwar Prasad Shukla, learned counsel for the Gaon Sabha and perused the record.

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.1264 of 2016 being Computerized Case No. T20161506021264 (Basmati vs. Shyam Narain and others), u/s 116 of U.P. Revenue Code, within stipulated period.

3. Learned counsel for the petitioner submitted that opposite party appeared before the Court below and the aforesaid case is pending since 2016 for adjudication. He prayed that the same may be decided expeditiously.

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 - Sub Divisional Magistrate, Tehsil - Nizamabad, District - Azamgarh, to consider and decide the aforesaid 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 there is no other legal impediment.

**Order Date :-** 7.11.2023

Rishabh

**[Manish Kumar Nigam, J.]**