

Court No. - 47

Case :- WRIT - C No. - 38540 of 2023

Petitioner :- Ram Kishore

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

Counsel for Petitioner :- Jamwant Maurya

Counsel for Respondent :- CSC, Rameshwar Prasad Shukla

Hon'ble Manish Kumar Nigam, J.

1. Heard learned counsel for the parties and perused the record.

2. The instant writ petition has been filed for following relief:

"(i) issue a writ order or direction in the nature of mandamus directing the Commissioner Azamgarh Mandal Azamgarh/Respondent no. 2 to decide the appeal no. 180/A Computerized No. C-202315000001031 Ram Kishore and others Vs. Gaon Sabha Saiyadmalikpur through Pradhan Gaon Sabha Saiyadmalikpur, Pergana-Devgaon, Tehsil-Lalganj, District - Azamgarh along with stay application."

3. Contention of the learned counsel for the petitioner is that against the order dated 30.06.2023 passed in proceedings under Section 38 of U.P. Revenue Code, 2006, appeal has been filed by the petitioner and the same is pending before respondent no. 2. It is further contended by learned counsel for the petitioner that in the meantime, the proceedings under Section 67 of U.P. Revenue Code has also been initiated against the petitioner, which are pending.

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 Commissioner Azamgarh Mandal Azamgarh to consider and decide the aforementioned appeal, in accordance with law, expeditiously, preferably within a period of **one month** 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 :- 20.11.2023

Ved Prakash

(Manish Kumar Nigam, J.)