

Court No. - 47

Case :- WRIT - C No. - 38980 of 2023

Petitioner :- Chander

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

Counsel for Petitioner :- Parmeshwar Kr. Chaudhary, Neha Rajput

Counsel for Respondent :- C.S.C., Sudhir Bharti

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. 1196 of 2020 (Computerized Case No. C-202005000001196) (Islam v. Chander and others), under Section 219 of the U.P. L.R. Act, 1901, within stipulated period.
3. Learned counsel for the petitioner states that against the order dated 22.07.2011, appeal has been filed and the same is pending before respondent No. 2 since 2020. Learned counsel for the petitioner further states that opposite party has appeared before the court below. He prayed that the same may be decided, expeditiously.
4. From perusal of the order sheet, annexed as Annexure No. 4 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/Additional Commissioner (Administration)-IV, Region Gorakhpur, 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 :- 8.11.2023

Ved Prakash

(Manish Kumar Nigam, J.)