

Court No. - 47

Case :- WRIT - C No. - 38926 of 2023

Petitioner :- Shivpal Singh Yadav

Respondent :- State Of U.P. And 6 Others

Counsel for Petitioner :- Nagina Singh Yadav

Counsel for Respondent :- C.S.C., Bhupendra Kumar Tripathi

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. 1232 of 2023, Computerized Case No. D202314290001232 (Bechan and other Vs. Gaon Sabha and other) under Section 128 of the U.P. Revenue Code, 2006, within stipulated period.

3. Contention of learned counsel for the petitioner is that lease was granted in favour of the mother of the petitioner and proceedings for cancellation of the same was initiated by the private respondent Nos. 4 to 7, which is pending since 2017, which has now been numbered as Case No. 1232 of 2023, Computerized Case No. D202314290001232 (Bechan and other Vs. Gaon Sabha and other), under Section 128 of U.P. Revenue Code, 2006. After death of the mother of the petitioner, the name of petitioner has been mutated in the revenue records. It has been prayed by learned counsel that the aforesaid proceedings may be concluded as expeditiously as possible.

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- The Additional Collector (F&R), Ghazipur 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

Nitika Sri.

(Manish Kumar Nigam, J.)