

Court No. - 47

Case :- WRIT - C No. - 39871 of 2023

Petitioner :- Sanjay

Respondent :- State Of U.P. And 19 Others

Counsel for Petitioner :- Manvendra Narain Pathak,R.K.Paramhans Singh

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 and perused the record.

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

"(a) Issue a writ order or direction in the nature of mandamus commanding the respondent no. 2 Sub Divisional Magistrate Deoria to expedite and decide the partition suit/case computerized case no. T202205200107505 (Mohan Sharma Vs. Panmati Devi & others), under Section 116 of Revenue Code, 2006, filed by respondent no. 3 on 07.06.2022 which is pending before respondent no. 2 Sub Divisional Magistrate Deoria District Deoria within specific period as may be fixed by this Hon'ble Court."

3. Learned counsel for the petitioner states that the petitioner is opposite party in proceedings under Section 116 of U.P. Revenue Code, 2006 in Computerized Case no. T202205200107505 (Mohan Sharma Vs. Panmati Devi & others), which is pending since 2022. 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 Sub Divisional Magistrate Deoria to consider and decide the aforementioned case, in accordance with law, expeditiously, preferably within a period of **six 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 :- 21.11.2023/Ved Prakash