

Court No. - 47

Case :- WRIT - C No. - 39806 of 2023

Petitioner :- Smt. Subhawati

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Navneet Lal Srivastava, Akshay Kumar Shukla

Counsel for Respondent :- CSC

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 praying for a mandamus directing respondent No.2 - Naib Tehsildar, Tehsil Tamkuhiraj, District - Kushinagar, to decide the Case No.T201805440308727 (Smt. Subhawati Devi vs. Kushalya Devi), under Section 35 of U.P. Revenue Code, within stipulated period.
3. Learned counsel for the petitioner submitted that opposite party has appeared before the Court below and the aforesaid case is pending since 2018 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 - Naib Tehsildar, Tehsil Tamkuhiraj, District - Kushinagar, 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 :- 20.11.2023

Rishabh

[Manish Kumar Nigam, J.]