

Court No. - 51

Case :- WRIT - C No. - 40699 of 2023

Petitioner :- Ram Lakhan

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

Counsel for Petitioner :- Vidyanand Singh

Counsel for Respondent :- C.S.C.,Rameshwar Prasad Shukla

Hon'ble Chandra Kumar Rai,J.

1. Counsel for the petitioner is permitted to implead the Sub Divisional Officer, Sadar, District Ballia as respondent no.7 in the writ petition during course of the day.
2. Heard Mr. Vidyanand Singh, Counsel for the petitioner, Mr. Shridhar Tripathi, learned Standing Counsel for the State-respondents and Mr. Rameshwar Prasad Shukla, Counsel for respondent no.6, Gram Sabha.
3. The instant petition has been filed for the following relief:-

"Issue a writ, order or direction in the nature of mandamus commanding and directing the learned lower Court of Upziladhikari Ballia, Sadar, District Ballia to decide the case No. 188/ 2013-14 (Computerized case No. T202315090302733) (Ram Lakhan Vs. Raghubar and Others) under Section 229-B of U.P.Z.A. and L.R. Act, 1950 expeditiously within stipulated time."

4. Counsel for the petitioner submitted that aforementioned suit under Section 229-B of U.P.Z.A. and L.R. Act filed at the instance of the petitioner is still pending even after expiry of more than 10 years. He further submitted that certified copy of the order sheet has been annexed as Annexure No. 2 to the writ petition in order to demonstrate that matter is not proceeding expeditiously.
5. Mr. Shridhar Tripathi, learned Standing Counsel for the State-respondents submitted that suit filed in the year 2013 was dismissed for non- prosecution in the year 2014 and the same has been restored in the year 2023, as such, the delay has been caused in deciding the matter.
6. Considering the facts and circumstances, the instant petition is finally **disposed of** directing the respondent no.7, Sub Divisional Officer, Sadar, District Ballia to decide the aforementioned suit after framing issues and giving parties to lead evidence in accordance with law expeditiously preferably within period of **six months** from the date of production of certified copy of this order.

Order Date :- 11.12.2023/ Vandana Y.