

Court No. - 51

Case :- WRIT - C No. - 40573 of 2023

Petitioner :- Ram Ashish And Another

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

Counsel for Petitioner :- Mainuddin Ahamad

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

Hon'ble Chandra Kumar Rai,J.

1. Heard learned counsel for the petitioner, Mr. Abhishek Shukla, learned Additional Chief Standing Counsel for the State-respondents and Mr. Rameshwar Prasad Shukla, learned counsel for the respondent- Gaon Sabha.

2. The instant petition has been filed for mandamus directing the respondent no.2 i.e. Sub-Divisional Magistrate, Sadar, District- Mau to decide the Case No.1378 of 2023, Computerized Case No.T202315510101378 (Ram Ashish and Another vs. State), under Section 38 (2) of U.P. Revenue Code, 2006 within stipulated period.

3. Learned counsel for the petitioner submitted that the proceeding under Section 38 (2) of U.P. Revenue Code, 2006 is pending before respondent no.2 since January, 2023. He further submitted that certified copy of order sheet of the case has been annexed as Annexure No.2 to the petition in order to demonstrate that the case is not proceeding expeditiously.

4. Without expressing any opinion on merits of the case and keeping in view of the facts and circumstances, respondent no.2 is directed to conclude the proceedings of aforementioned case on merits after giving an opportunity of hearing to the parties in accordance with law expeditiously preferably within a period of three months from the date of production of certified copy of this order before him.

5. Accordingly, the writ petition is finally ***disposed of.***

Order Date :- 28.11.2023

Rameez