

Court No. - 51

Case :- WRIT - C No. - 40664 of 2023

Petitioner :- Rama Shankar

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Akash Kumar Verma

Counsel for Respondent :- C.S.C.

Hon'ble Chandra Kumar Rai,J.

1. Heard Counsel for the petitioner and learned Standing Counsel for State-respondents.

2. The instant writ petition has been filed praying for a mandamus directing respondent No.3, Additional Commissioner, Administration (Ist), Division Gorakhpur, District Gorakhpur to decide the case No. 01149 of 2019, Computerized case No. C201905000001149 (Geeta Devi Vs. Ramashankar) within stipulated period.

3. Counsel for the petitioner submitted that appeal filed by respondent no.5 against the judgment and decree of the Trial Court is pending before respondent no.3 since 2019. He further submitted that petitioner is opposite party in the pending appeal.

4. Certified copy of the order sheet has been annexed as Annexure No.4 to the writ petition in order to demonstrate that the case is not proceeding expeditiously.

5. Considering the facts and circumstances of the case, without expressing any opinion on the merits of the issue, the present petition stands **disposed of** finally with a direction to respondent No.3, Additional Commissioner, Administration (Ist), Division Gorakhpur, District Gorakhpur to consider and decide the aforementioned appeal in accordance with law expeditiously and preferably within a period of **three months** from the date of production of certified copy of this order after giving opportunity of hearing to the parties concerned and without granting unnecessary adjournments to either of the parties.

Order Date :- 28.11.2023/ Vandana Y.