

Court No. - 47

Case :- WRIT - C No. - 41898 of 2023

Petitioner :- Kripashankar

Respondent :- State Of U.P. And 12 Others

Counsel for Petitioner :- Navnath Pandey,Pawan Kumar Singh

Counsel for Respondent :- C.S.C.,Nagendra Nath Mishra

Hon'ble Manish Kumar Nigam,J.

1. Case called out in the revised list. None appears on behalf of the petitioner to address the Court, however, learned Standing Counsel is present. Perused the record.

2. The instant writ petition has been filed praying for a mandamus directing respondent No.2 - Sub Divisional Magistrate, Tehsil - Tamkuhiraj, District - Kushinagar, to decide the Computerized Case No.T202205440309325 (Deenanath Vs. Kripashankar and Others) and Computerized Case No.T202305440309222 (Kripashankar Vs. Satyanarayan and others), under Section 116 of U.P. Revenue Code, within stipulated period.

3. From the perusal of record, it is clear that the proceedings u/s 116 of the U.P. Revenue Code, 2006 are pending since 2022. Learned Standing counsel has pointed out that opposite party has appeared before the Court below in the proceedings.

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 - Sub Divisional Magistrate, Tehsil - Tamkuhiraj, District - Kushinagar, to consider and decide the aforesaid 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 there is no other legal impediment.

Order Date :- 5.12.2023

Rishabh

[Manish Kumar Nigam, J.]