

Court No. - 47

Case :- WRIT - C No. - 41879 of 2023

Petitioner :- Dheerendra Singh And Another

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

Counsel for Petitioner :- Prakhar Prakash Srivastava

Counsel for Respondent :- C.S.C., Sher Bahadur Singh

Hon'ble Manish Kumar Nigam, J.

1. Heard learned counsel for the parties and perused the record.

2. The instant petition has been filed seeking following relief :-

"Issue a writ, order or direction in the nature of mandamus directing the respondents no.2 and 3 to decide the representation of the petitioners of dated 14.02.2023 in accordance with the provisions of Section 38A of the Uttar Pradesh Revenue Code 2006 along with the consideration of the relevant document of CH form 11 and in the meantime the Revenue authorities should not interfere into the physical possession of the house of the petitioners and settle the name in favour of the petitioners according to the provision of law under section 67A of the Uttar Pradesh Revenue Code 2006. (ANNEXURE NO.5 TO THE WRIT PETITION)."

3. Contention of learned counsel for the petitioners is that petitioners have filed an application u/s 38(1) of the U.P. Revenue Code, 2006 on 14.2.2023, which has been directed to be listed by the Court below.

4. Since then the matter is pending and has not been decided till date. no useful purpose would be served in keeping this writ 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 the respondents' authorities to consider and decide the aforementioned application, 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 all 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.]