

Court No. - 47

Case :- WRIT - C No. - 41455 of 2023

Petitioner :- Dewata Kewat

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

Counsel for Petitioner :- Munna Tiwari

Counsel for Respondent :- CSC, Sudhir Bharti

Hon'ble Manish Kumar Nigam, J.

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

2. The instant writ petition has been filed for following relief:

"i- issue a writ order or direction in the nature of mandamus directing the respondent no. 2 to decide the stay application dated 10.11.2023 filed in appeal bearing case no. 1889 of 2023 bearing Computer Case No. C202305000001889 (Dewata and others Vs. Randheer Singh and others), under section 207 of U.P. Revenue Code, 2006 pending before Additional Commissioner Judicial-II, Gorakhpur Region, Gorakhpur i.e. Respondent no. 2 within a stipulated period."

3. Learned counsel for the petitioner states that stay application filed along with appeal filed under Section 116 of U.P. Revenue Code, 2006 is pending. Opposite party has appeared before the court below as they have filed a caveat application. He prayed that the same may be decided, expeditiously.

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 Additional Commissioner Judicial-II, Gorakhpur Region, Gorakhpur to consider and decide the aforementioned stay application, in accordance with law, expeditiously, preferably within a period of **one month** 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 that there is no other legal impediment.

Order Date :- 1.12.2023

Ved Prakash

(Manish Kumar Nigam, J.)