

Court No. - 51

Case :- WRIT - C No. - 42426 of 2023

Petitioner :- Dwarika Nath Singh

Respondent :- State Of U.P. And 40 Others

Counsel for Petitioner :- Virendra Singh, Hari Om Gupta

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

Hon'ble Chandra Kumar Rai, J.

1. Heard learned counsel for the petitioner and Mr. Abhinav Ojha, learned Standing Counsel for the State-respondents and Mr. Rameshwar Prasad Shukla, learned counsel for the respondent- Land Management Committee.

2. The instant petition has been filed for mandamus directing the respondent no.3 i.e. Assistant Record Officer (Survey) Ballia / Nayab Tahsildar (Survey), Ballia to decide the Case No.1021 of 2018 (Dwarika Nath vs. Srikrishna Singh and Others), Computerized Case No.D20181590001021 and Case No.554 / 2019 (Dwarika Nath and Others vs. Ram Singh), Computerized Case No.D20191590000554, under Section 49 of U.P. Revenue Code, 2006 within stipulated period.

3. Learned counsel for the petitioner submitted that the aforementioned case, under Section 49 of U.P. Revenue Code, 2006 is pending before respondent no.3 since 2018. He further submitted that the copy of order sheet of the case has been annexed as Annexure No.5 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.3 is directed to decide the aforementioned cases on merits after giving an opportunity of hearing to the parties in accordance with law expeditiously preferably within a period of two 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 :- 8.12.2023

Rameez