

Court No. - 47

Case :- WRIT - C No. - 41809 of 2023

Petitioner :- Gita Devi

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Omkar Nath Rai

Counsel for Respondent :- C.S.C.

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 - Tehsildar, Tehsil - Tamkuhiraj, District - Kushinagar, to decide the Case No.2934 of 2023 being Computerized Case No.T202305440302934 (Gita Devi Versus Smt. Laxmina Devi), under Section 35 of the U.P. Revenue Code, within stipulated period.

3. Learned Standing Counsel has pointed out that proceedings are pending and the opposite party has appeared before the Court below.

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 - Tehsildar, 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.]