

Court No. - 51

Case :- WRIT - C No. - 41653 of 2023

Petitioner :- Summari Devi And 4 Others

Respondent :- State Of U.P. And 34 Others

Counsel for Petitioner :- Anil Kumar Yadav

Counsel for Respondent :- C.S.C.,Azad Rai

Hon'ble Chandra Kumar Rai,J.

1.Heard Counsel for the petitioner, learned Standing Counsel for the State-respondents and Mr. Azad Rai for respondent no. 3/Gaon Sabha.

2.The instant writ petition has been filed praying for a mandamus directing respondent No. 2-Sub Divisional Magistrate, Tehsil- Handia, District Prayagraj to decide the Case No. 570 of 2013 (T2013023412) (Summari Devi Vs. Awadh Narayan and others), under Section 176 of U.P.Z.A. and L.R. Act, within stipulated period.

3. Learned counsel for the petitioner submitted that the aforementioned partition suit filed at the instance of the petitioners is pending before respondent no. 2 for adjudication. He further placed certified copy of the order sheet, which has been annexed as Annexure No.6 to the writ petition in order to demonstrate that the case is not proceeding expeditiously.

4. Considering the facts and circumstances of the case, without expressing any opinion on the merits of the issue, the present petition stands **disposed of** finally with a direction to respondent No. 2-Sub Divisional Magistrate, Tehsil- Handia, District Prayagraj to consider and decide the aforementioned case in accordance with law expeditiously and preferably within a period of three months from the date of production of certified copy of this order after giving opportunity of hearing to the parties concerned and without granting unnecessary adjournments to either of the parties.

Order Date :- 4.12.2023

S.A.