

Court No. - 47

Case :- WRIT - C No. - 41937 of 2023

Petitioner :- Rajesh Kumar

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

Counsel for Petitioner :- Babu Ram Yadav, Arun Yadav

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

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 seeking following relief :-

"Issue a writ order or direction in nature of mandamus directing to the Respondent No.2 - Collector, Prayagraj for getting opened the Customary Path/R.C.C. Public Road, which is situated over common land of the village from the very beginning 100 years ago through Tehsildar, Tehsil - Handia, District - Prayagraj under section 25 and 26 of U.P. Revenue Code, 2006 as early as possible within a month."

3. Contention of learned counsel for the petitioner is that petitioner moved an application u/s 25 and 26 of the U.P. Revenue Code, 2006 on 24.5.2023, on which, certain directions were issued by the Tehsildar, however, no further action has been taken till date.

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 - Collector, Prayagraj, to consider and decide the proceedings u/s 25 and 26 of the U.P. Revenue Code, 2006, 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 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.]