

Court No. - 51

Case :- WRIT - C No. - 42063 of 2023

Petitioner :- Gangadhar

Respondent :- State Of U.P. And 15 Others

Counsel for Petitioner :- Debee Shanker Pandey

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

Hon'ble Chandra Kumar Rai,J.

1.Heard Mr. D.S.Pandey, learned counsel for the petitioner, Mr. Amit Singh, learned Standing Counsel for the State-respondents and Mr. Azad Rai, learned Counsel for respondent No.4/Gram Sahaba.

2.The instant writ petition has been filed praying for a mandamus directing respondent No.3/ Sub Divisional Magistrate, Tehsil-Soraon, District-Prayagraj to decide the Case No.11175 of 2023 (Computerized Case No. T202302030311175) Gangadhar and others Vs. Hublal and others, under Section 116 of U.P. Revenue Code, 2006, pending before him within stipulated period.

3. Learned counsel for the petitioner submitted that the aforementioned suit for partition filed at the instance of of the petitioner is pending since 19.08.2021. He further submitted that copy of the order sheet, which has been annexed as Annexure No.2 to the writ petition in order to demonstrate that the case is not proceeding according to the provisions contained under Rule 109 (10) of U.P. Revenue Code, Rules 2016.

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.3/ Sub Divisional Magistrate, Tehsil-Soraon, District-Prayagraj to consider and decide the aforementioned

case in accordance with law expeditiously and preferably within a period of **six 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 :- 6.12.2023

PS*