

Court No. - 6

Case :- WRIT - C No. - 42802 of 2023

Petitioner :- Ajaz Ahamad

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

Counsel for Petitioner :- Anjani Kumar Raghuvanshi, Sujan Singh

Counsel for Respondent :- CSC

Hon'ble Mrs. Manju Rani Chauhan, J.

Heard Mr. Anjani Kumar Raghuvanshi, learned counsel for the petitioner and learned Standing Counsel for the State-respondent.

The writ petition has been filed by the petitioner with prayer to direct for expeditious disposal of appeal pending before the court of District Magistrate Varanasi, under Section 16 of The Maintenance And Welfare of Parents and Senior Citizen Act 2007 from 31.07.2023, within stipulated period.

Learned counsel for the petitioner submits that the petitioner has preferred an appeal dated 31.07.2023 against the order passed by S.D.M., under Section 16 of The Maintenance And Welfare of Parents and Senior Citizen Act 2007 which is pending before respondent no.2-District Magistrate, Varanasi, therefore, a direction may be issued to the respondent no.2 to decide the same, as expeditiously as possible.

Learned Standing Counsel has no objection to the same.

No useful purpose would be served by keeping this petition pending in view of the order, which the Court proposes to pass hereunder.

Considering the facts and circumstance of the case, the present writ petition is finally **disposed off** by providing that the

competent authority i.e. respondent no.2-District Magistrate Varanasi, District-Varanasi shall first consider and decide the stay application filed along with the appeal by the petitioner, in accordance with law, within **one month** from the date of production of certified copy of this order. After deciding the stay application, the competent authority shall also decide the appeal, strictly in accordance with law, after giving opportunities of hearing to the petitioner, by means of a reasoned and speaking order, preferably within a period of **six months**, if there is no legal impediment.

Order Date :- 12.12.2023

Kalp Nath Singh