

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 1374 of 2021

Petitioner :- Girdhar Gopal And Another

Respondent :- State Of U.P. Thru. Prin. Secy. Revenue Lko.Andors.

Counsel for Petitioner :- Vijai Kumar Shukla,Gaurav Srivastava,Pradeep Kumar Kovid

Counsel for Respondent :- C.S.C.

Hon'ble Saurabh Lavania,J.

Heard.

In view of order proposed to be passed, issuance of notice to the private-respondent(s) is hereby dispensed with.

The present petition has been filed with the following prayer:-

"(1) Issue an order or direction to the opp. Party no. 2 to decide the Case No. T 2017042348071537 Under section 34 / 35 Uttar Pradesh Revenue Code (Giriraj Kunwar and others Vs Surya Kali) pending before him since 2016, in a stipulated period which this Hon'ble Court may be given."

It is stated that as per Rule 34(7) of U.P. Revenue Code Rules, 2016 made under the U.P. Revenue Code, 2006, the mutation proceedings, being summary in nature, ought to have been decided within 45 days if there is no dispute and if there is dispute, then the same should preferably be decided within 90 days. However, in the instant case, the proceedings for mutation are pending since year 2016. In these circumstances, indulgence of this Court is required in the matter. The prayer is to expedite the proceedings of pending case.

Learned State counsel submits that he has no objection in case an expedite order is passed.

Considering the facts and circumstances of the case, this Court is of the view that no fruitful purpose will be served in keeping this petition pending. Accordingly, this petition is disposed of with a direction to the respondent No.2- Tehsildar, Tehsil-Rudauli, District-Ayodhya, to consider and decide Case No.T2017042348071537, (Giriraj Kunwar and others Vs Surya Kali), most expeditiously after affording full opportunity of hearing to the parties to the litigation and without granting any adjournment to either party preferably within a period of three months from the next date fixed in the case, if possible and if there is no other legal impediment in this regard.

It is made clear that this Court has not examined the case of either party on merits and the Authority concerned shall be free to decide the matter strictly in accordance with law.

With the aforesaid, the petition is **disposed** of.

Order Date :- 17.10.2023/Raj