Court No. - 18
Case :- MATTERS UNDER ARTICLE 227 No. - 5046 of 2023
Petitioner :- Krishna Pal
Respondent :- State Of U.P, Thru. Prin. Secy. Revenue Deptt., Lucknow And 4 Others
Counsel for Petitioner :- Akhilendra Pratap Singh,Arpit Shukla
Counsel for Respondent :- C.S.C.

Hon'ble Saurabh Lavania,J.

Heard learned counsel for the parties.

In view of order proposed to be passed, issuance of notice to the private-respondents is hereby dispensed with.

By means of this petition, the petitioner seeks expeditious disposal of Case No. 5466/2022, Computerized Case No. T202204120305466 (Krishna Pal vs. Maniram), filed under Section 34 of the U.P. Revenue Code, 2006, which is pending before the respondent No. 2/Tehsildar, Tehsil Fatehpur, District Barabanki.

It is stated that the mutation proceedings are summary in nature and being so, the same ought to have been decided expeditiously. It is further stated that in the law applicable w.e.f. 11.02.2016 namely 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 of mutation are pending since 2022 and on account of pendency of the same, the petitioner is suffering great hardship and mental agony. In these circumstances, the indulgence of this Court is required. The prayer is to expedite the said pending proceedings.

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 to consider and decide the Case No. 5466/2022, Computerized Case No. T202204120305466 (Krishna Pal vs. Maniram) 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 the 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 :- 10.10.2023/Arun/-

Digitally signed by :-
ARUN KUMAR GANGWAR
High Court of Judicature at Allahabad,
Lucknow Bench