

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5078 of 2023

Petitioner :- Smt. Khalida @ Khalida

Respondent :- Nayab Tahsildar Raunahi, Tahsil Sohawal, Faizabad And Another

Counsel for Petitioner :- Anil Kumar Tiwari

Counsel for Respondent :- C.S.C.

Hon'ble Saurabh Lavania,J.

Heard.

In view of the order proposed to be passed by this Court, notice to the private-respondents is dispensed with.

The present petition has been filed for the following main relief:-

"To direct the opposite party no. 1 Nayab Tahsildar Raunahi, Tahsil Sohawal, District Faizabad/Ayodhya to decide the recall application in mutation Case No. T201804230202651 Nazmuddin" namely "Smt. Khalida Versus Nazmuddin, under section 34 of U.P. Land Revenue Code 2006 relating to Village Jaganpur, pargana Magalsi, Tahsil Sohawal, District Faizabad/Ayodhya, expeditiously preferable within a stipulated period as fixed by this Hon'ble Court in the interest of justice."

It is stated that mutation Case No. RST/02651/2018, computerized case no. T201804230202651 (Smt. Khalida Versus Nazmuddin), was decided finally vide order dated 18.08.2018 and thereafter an application dated 20.11.2018 was preferred by opposite party no.2/ Ehtishab and the same is pending consideration till date and on account of pendency of the application in issue, 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 application.

It is further submitted that though a large number of dates have been fixed, however, for the reasons beyond control, the matter has not yet been decided.

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

Considering the facts and circumstances, this Court is of the opinion that no gainful purpose will be served in keeping the aforesaid petition pending. Accordingly, in the ends of justice the respondent No.-1/Nayab Tahsildar Raunahi, Tahsil Sohawal, District Faizabad/Ayodhya, is directed to consider and decide the pending recall application in the of Case No. RST/02651/2018, Computerized case no. T201804230202651 (Smt. Khalida Versus Nazmuddin), most expeditiously, after affording full opportunity of hearing to the parties, but without granting any unnecessary adjournment, preferably within three months from the next date fixed before it, if there is no other legal impediment in this regard.

It is made clear that the Court has not examined the case of either of the parties 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

Jyoti/-