

**Court No. - 18**

**Case :-** MATTERS UNDER ARTICLE 227 No. - 5075 of 2023

**Petitioner :-** Umakant

**Respondent :-** Sub Divisional Magistrate, Tehsil Lalganj, Raibareli And 9 Others

**Counsel for Petitioner :-** Jatin Gajwani, Amol Kumar Srivastava

**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.

By means of this petition, the petitioner seeks expeditious disposal of Case No.7 of 2008-2009 filed under Section 176 of the U.P. Z.A. & L.R. Act, 1950 which is pending before the respondent No.1.

Considering the submissions made by the learned counsel for the petitioner as also the averments made in the present petition which are to the effect that a suit for division of holdings was instituted under Section 176 of the U.P. Z.A. & L.R. Act, 1950, registered as Case No.7 of 2008-2009 and preliminary decree has already been drawn in terms of the order dated 17.11.2022, though, proceedings have not been concluded till date as also that the petitioner is aged about 70 years, 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.1-Sub Divisional Magistrate, Tehsil Lalganj, Raibareli to conclude the proceedings of the case, in issue, i.e. Case No.7 of 2008-2009, most expeditiously, after affording full opportunity of hearing to the parties to the litigation and without granting any unnecessary adjournment to either party preferably within a period of six 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 :-** 10.10.2023

Vinay/-