

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5109 of 2023

Petitioner :- Raghu Nayak Tiwari @ Raghunayak

Respondent :- Tehsildar, Tehsil Bhati, Ambedkar Nagar And 2 Others

Counsel for Petitioner :- Satyendra Yadav

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.

By means of the instant petition, the petitioner seeks expeditious disposal of Mutation Case No. 1469/2022, Computerized Case No. T2022040401469 (Raghu Nayak Tiwari Versus Sushila Devi), under Section 34 of the U.P. Revenue Code, 2006 pending before the respondent No.1- Tehsildar, Tehsil Bhati, District Ambedkar Nagar, since August 2022.

Considering the fact that the case in issue relates to mutation and 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 August 2022, this Court is of the view that no gainful purpose will be served in keeping the aforesaid petition pending.

Accordingly the present petition is disposed of with direction to respondent No.-1 to consider and decide the pending proceedings of Mutation Case No. 1469/2022, Computerized Case No. T2022040401469 (Raghu Nayak Tiwari Versus Sushila Devi), most expeditiously, after affording full opportunity of hearing to the parties, but without granting any unnecessary adjournment, preferably within a period of 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/-