

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5243 of 2023

Petitioner :- Chaman Patel And 5 Others

Respondent :- State Of U.P. Thru. Secy., Revenue Deptt., Lucknow And 2 Others

Counsel for Petitioner :- Anil Kumar Pandey

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 petitioners seek expeditious disposal of Mutation Case No. T2017081076031446 (Abhilash Chandra Versus Mohd. Deen), under Section 34/35 of the U.P. Revenue Code, 2006 pending before the respondent No.2-Tehsildar Utraula, Tehsil Utraula, District Balrampur, since 2017.

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 2017 and on account of pendency of the same, the petitioners are suffering great hardship and mental agony. In these circumstances, indulgence of this Court is required in the matter. The prayer is to direct the respondent no.2 to decide the pending proceedings within stipulated time.

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 rather ends of justice can be served by directing the respondent No.-2 to consider and decide the pending proceedings of Mutation Case No. T2017081076031446 (Abhilash Chandra Versus Mohd. Deen) most expeditiously, after affording full opportunity of hearing to the parties, but without granting any unnecessary adjournment to either of the parties 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 :- 16.10.2023

Jyoti/-