Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5335 of 2023

Petitioner :- Shitla Prasad Mishra Thru. Her Mother Shakuntala Devi
Respondent :- State Of U.P. Thru. Prin. Secy. Revenue, Lko. And 3 Others
Counsel for Petitioner :- Priyam Mishra
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.5904 of 2023, Computerized Case No.T-202302570105904 filed under Section 34 of the U.P. Revenue Code, 2006 pending before the respondent No.2.

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 November, 2022. In these circumstances, indulgence of this Court is required in the matter. The prayer is to expedite the proceedings of pending case.

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-Nayab Tehsildar Manikapur, Mandal-Prayagraj, Tehsil-Kunda, District-Pratapgarh to consider and decide Case No.5904 of 2023, Computerized Case No.T-202302570105904, 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 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 :- 18.10.2023
Vinay/-

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