

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5382 of 2023

Petitioner :- Ghisiyawan

Respondent :- Tahsildar, Tahseel Bikapur, Ayodhya And Another

Counsel for Petitioner :- Dhananjay Trivedi,Dhirendra Pratap Singh

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 reliefs:-

"i) to issue a order or direction of the opposite party no 1 to decide the case No.-326 of 2016, computerize case No. T201604230303544 (Muneshar (deceased) Vs Lahuri (deceased)), under section 34, U.P. Revenue Code,2016, pending since 30.9.2016 expeditiously, say with in three months.

ii) to issue a order or direction of the opposite party no 1 to dispose off the application for restoration filed on 3.6.2022 as well as application for substitution dated 11.7.2022, contained in Annexure no-3 and 4,filed by the petitioner in the case No.-326 of 2016, computerize case No. T201604230303544 (Muneshar (deceased) Vs Lahuri (deceased)), under section 34, U.P.Revenue Code,2016, expeditiously."

Taking note of the facts of the case including that the case for mutation was instituted in the year 2016 and subsequently it was dismissed for want of prosecution on 14.11.2016 and thereafter an application dated 03.06.2022 for recall of order dated 14.11.2016 was preferred by the petitioner and during the pendency of application for recall, an application for substitution was also preferred on 11.07.2022 and on account of pendency of these applications, proceedings have not been concluded, this Court is of the view that indulgence of this Court is required.

Accordingly, the present petition is disposed of with direction to respondent No.-1/Tehsildar, Tehsil Bikapur, District Ayodhya, to conclude the pending proceedings most expeditiously, after affording full opportunity of hearing to the parties, but without granting any unnecessary adjournment to either of the parties preferably within four 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 :- 18.10.2023

Jyoti/-