

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5364 of 2023

Petitioner :- Dhirendra Kumar Mishra

Respondent :- Tehsildar, Tehsil-Tanda, Ambedkar Nagar And Another

Counsel for Petitioner :- Vijay Kumar Yadav

Counsel for Respondent :- C.S.C.

Hon'ble Saurabh Lavania,J.

Heard.

At the very outset, learned Counsel for the petitioner stated that inadvertently the proper necessary opposite party could not be arrayed in the memo of petition and as such he may be permitted to implead the proper opposite party.

Learned State Counsel has no objection to the prayer made by the learned Counsel for the petitioner.

Accordingly, the petitioner is permitted to implead the necessary opposite party during the course of the day.

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 Case No.85/2023, Computerized Case No. T2023040400085 (Dhirendra Kumar Mishra Versus Ram Jatan), under Section 34 of the U.P. Revenue Code, 2006 pending before the respondent No.1-Tehsildar, Tehsil Tanda, District Ambedkar Nagar, since January 2023.

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 2023, 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 Case No.85/2023, Computerized Case No. T2023040400085 (Dhirendra Kumar Mishra Versus Ram Jatan), 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 :- 18.10.2023

Jyoti/-