

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5416 of 2023

Petitioner :- Sanjay Kumar And Another

Respondent :- Tehsildar, Tehsil Sohawal, Ayodhya And 3 Others

Counsel for Petitioner :- Atma Ram Mishra

Counsel for Respondent :- C.S.C.

Hon'ble Saurabh Lavania,J.

Heard.

The present petition is filed with the following prayer:-

"i) issue an order or direction specifically directing the Respondent No.1 Court to adjudicate/decide the Case No.3268/2021 titled as "Sanjay and others V/s Raghunath" bearing computerized Case No.- T2021042304302 pending before Opp. Party No.1 Court" within a stipulated time period, in the interest of justice;"

At very outset, learned State Counsel based upon the instructions dated 19.10.2023 says that Misalband No. is 3268 and the copy issued indicates the correct number of the case as Case No.T20142304302, (Sanjay Kumar and others vs. Raghunath).

With regard to main prayer sought, the learned counsel for the petitioners 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 September, 2021. 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.1-Tehsildar, Tehsil-Sohawal, District-Ayodhya, to consider and decide Case No.3268/2021, (Sanjay and others V/s Raghunath) 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 :- 19.10.2023

Raj