Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5469 of 2023

Petitioner :- Ram Murat
Respondent :- State Of U.P. Thru. Prin. Secy., Lko. And Others
Counsel for Petitioner :- Rajesh Kumar
Counsel for Respondent :- C.S.C.

Hon'ble Saurabh Lavania,J.

Heard learned counsel for the parties.

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. T202204040102116 (Chandravati vs. Malti), filed under Section 34 of U.P. Revenue Code, 2006, which is pending before the respondent No. 2/Naib Tehsildar, Tehsil Akbarpur, District Ambedkar Nagar.

Taking note of 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 2022, this Court is of the view that no gainful purpose will be served in keeping the present petition pending.

In view of above, the present petition is disposed of with a direction to the respondent No. 2 to consider and decide the Case No. T202204040102116 (Chandravati vs. Malti) 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 there is no other legal impediment in this regard.

It is made clear that the 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
Arun/-

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