

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5468 of 2023

Petitioner :- Anwar Jahan And Another

Respondent :- State Of U.P. Thru. Prin. Secy., Deptt. Of Revenue, Lko.
And Others

Counsel for Petitioner :- Dharmendra Kumar

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 the instant petition, the petitioners seek expeditious disposal of Case No.T-202104230300488 filed under Section 34 of the U.P. Revenue Code, 2006 pending before the respondent No. 2.

The contention of the learned counsel for the petitioners is that the case, in issue, i.e. Case No.T-202104230300488 and other case(s) i.e. Case No.202104230303905 and Case No.202104230303977 have been consolidated vide order dated 17.03.2023, a copy of which is annexed with Annexure No.3 and all the case(s) relate to the mutation proceedings and are pending since 2021. He further submitted 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. As such, indulgence of this Court is required in the matter.

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-Tehsildar, Tehil-Bikapur, District-Ayodhya to consider and decide Case No.T-202104230300488 as also connected case(s), 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

Vinay/-