

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5501 of 2023

Petitioner :- Malti

Respondent :- Learned Court Of Tehsildar, Kunda, Pratapgarh And Another

Counsel for Petitioner :- Abhishek Singh, Akhand Kumar Pandey

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. 1643/2013 (Malti Devi vs. Rajbahadur), filed under Section 35 of U.P. Land Revenue Act, 1901, which is pending before the respondent No. 1/Tehsildar, Kunda, District Pratapgarh.

Considering the fact that the petitioner is a lady aged about 75 years and the case in issue relates to mutation and as per law, the mutation proceedings, being summary in nature, ought to have been decided expeditiously, however, in the instant case, the proceedings for mutation are pending since 2013, 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.1 to consider and decide the Case No. 1643/2013 (Malti Devi vs. Rajbahadur) 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/-