Court No. - 18
Case :- MATTERS UNDER ARTICLE 227 No. - 5614 of 2023
Petitioner :- Salik Ram Gupta
Respondent :- Hari Narayan And Another
Counsel for Petitioner :- Vikas Maurya

Hon'ble Saurabh Lavania,J.

At the very outset, learned counsel appearing for the petitioner says that Tehsildar concerned could not be impleaded as proper party in the memo of this petition. As such, he may be permitted to implead the said party during the course of the day.

Considering the issue involved in this petition, petitioner's counsel is permitted to implead Tehsildar concerend in the array of opposite parties during the course of the day. He is also directed to provide two copies of this petition to learned State counsel during the course of the day.

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. 1286/2020, Computerized Case No. T202004680301286 (Salik Ram Gupta vs. Harinarayan), filed under Section 34 of U.P. Revenue Code, 2006.

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 2020, this Court is of the view that no gainful purpose will be served in keeping the present petition pending.

Accordingly, the present petition is disposed of with a direction to the Authority concerned to consider and decide the Case No. 1286/2020, Computerized Case No. T202004680301286 (Salik Ram Gupta vs. Harinarayan) 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 :- 2.11.2023
Jyoti/-

Digitally signed by :-
JYOTI RAJWANI
High Court of Judicature at Allahabad,
Lucknow Bench