

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5586 of 2023

Petitioner :- Nirmala Devi

Respondent :- Nayab Tehsildar, Tehsil Gauriganj, Amethi And Another

Counsel for Petitioner :- Sudhakar Mishra

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 has sought the following main relief:-

"I- Issue any appropriate order or direction to the opposite party no. 1 to consider and decide Mutation Restoration Case No. RST/ 4801/ 2022, computerized Case no. T-202204710104801 (Nirmala Vs Rajpati) which is pending before the opposite party no.1, within stipulated time as this court may deem fit and proper, in the interest of justice."

Taking note of period of pendency of the case in issue as also that on account of pendency of the same, the petitioner being a lady is suffering great hardship and mental agony as also that the case in issue initially was instituted under Section 35 of U.P. Revenue Code, 2006 (in short "Code of 2006") and mutation proceedings are summary in nature and being so, the same ought to have been decided expeditiously, the present petition is disposed of with a direction to the respondent No.1 to consider and decide the case/application, in issue, 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 :- 1.11.2023

Arun/-