

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5633 of 2023

Petitioner :- Shiv Saran And Another

Respondent :- Sub Divisional Officer, Alapur, Ambedkar Nagar And Others

Counsel for Petitioner :- Ram Singh

Counsel for Respondent :- C.S.C.,Mohan Singh

Hon'ble Saurabh Lavania,J.

Better affidavit filed by learned counsel for the petitioners in Court is taken on record.

Heard.

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 petitioners has sought following main relief:

"issue a direction to the opposite party No. 1 i.e. Sub-Divisional Officer Alapur, Ambedkar Nagar to decide the pending Suit No. 4126/2022 (Computerized NO. T202204040404126) under section 38(2) of U.P. Revenue Code, "Shiv Saran & another Versus Pardesh & others" expeditiously within stipulated period as early as possible."

Considering the facts of the case including the period of pendency as also the nature of proceedings, 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.1- Sub Divisional Officer, Alapur, Ambedkar Nagar to consider and decide the Suit No. 4126/2022, 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 :- 6.11.2023/Mohit Singh/-