

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5641 of 2023

Petitioner :- Rakesh Kumar And Another

Respondent :- Naib Tehsildar, Tehsil Sohawal, Ayodhya And Others

Counsel for Petitioner :- Surendra Kumar Mishra

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-respondents is hereby dispensed with.

The present petition has been filed for the following main relief:-

"i. Opposite Party No.1 to decide the Suit T- 202204230205974 and T- 202204230205975 "Rakesh Kumar & another Vs. Sonpati, pending before him expeditiously within stipulated period as fixed by this Hon'ble Court, as contained in Annexure No.1 to this Petition, in the interest of justice."

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 2022, this Court is of the view that no gainful purpose will be served in keeping the aforesaid petition pending.

Accordingly the present petition is disposed of with direction to respondent No.-1/Naib Tehsildar, Tehsil Sohawal, District Ayodhya, to consider and decide the cases, indicated in prayer clause, most expeditiously, after affording full opportunity of hearing to the parties, but without granting any unnecessary adjournment, preferably within a period of three months from the next date fixed before it, if there is no other legal impediment in this regard.

It is made clear that the Court has not examined the case of either of the parties 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 :- 3.11.2023

Jyoti/-