

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5643 of 2023

Petitioner :- Sangeeta

Respondent :- State Of U.P. Thru. Prin. Secy. Revenue, Lko. And Others

Counsel for Petitioner :- Rajesh Kumar

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:-

"1. To issue an order or direction to opposite party no. 2 i.e. Nayab Tehsildar Baskhari Tehsil Tanda. District - Ambedkar Nagar to decide the Mutation Computerized Case No. T20120443276, Sangeeta versus Kauleshar, filed U/S 34 U.P. Land Revenue Act 1901, with respect to the land in question ie. Gata No. 811, 815, 846, 945 (situated in Village - Jallapur, Post- Bidhar Tehsil Tanda, District - Ambedkar Nagar), within stipulated time framed in the interest of Justice."

It is stated that the mutation proceedings are summary in nature and being so, the same ought to have been decided expeditiously. It is further stated that in the law applicable w.e.f. 11.02.2016 namely **Rule 34(7) of U.P. Revenue Code Rules, 2016 made under the U.P. Revenue Code, 2006**, the limitation has been prescribed for deciding the mutation case as per which 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, the proceedings which were initiated in the year 2012, have not been concluded till date and on account of pendency of the same, the petitioner is suffering great hardship and mental agony. In these circumstances, the indulgence of this Court is required. The prayer is to expedite the said pending proceedings.

It is further submitted that though a large number of dates have been fixed, however, for the reasons beyond control, the matter has not yet been decided.

Learned standing counsel submits that he has no objection in case an expedite order is passed.

Considering the facts and circumstances, this Court is of the opinion that no gainful purpose will be served in keeping the aforesaid petition pending rather ends of justice can be served by directing the respondent No.-2 to consider and decide the pending proceedings of Computerized Case No. T20120443276 (Sangeeta versus Kauleshar) most expeditiously, after affording full opportunity of hearing to the parties, but without granting any adjournment to either of the parties preferably within a period of three months from the next date fixed in the matter, 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/-