

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5698 of 2023

Petitioner :- Smt. Poonam

Respondent :- Tehsildar Tehsil Sandila District Hardoi And 3 Others

Counsel for Petitioner :- Mohiuddin Khan

Counsel for Respondent :- C.S.C.

Hon'ble Saurabh Lavania,J.

At the very outset, Mohd. Zaid Khan, Advocate holding brief of Sri Mohiuddin Khan, learned counsel for the petitioner says that some defects have crept in the memo of this petition, as such, he may be permitted to amend the same during the course of the day.

The prayer aforesaid is acceded, as the same has not been opposed.

In view of above, learned counsel for the petitioner is permitted to carry out necessary amendment in the memo of this petition 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. RST/01755/2019, Computerized Case No. T201910330401755 (Poonam vs. Gunwati), which is pending before the respondent No. 1/Tehsildar, Tehsil Sandila, District Hardoi.

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 2019, the present petition is disposed of with a direction to the respondent No.1 to consider and decide the Case No. RST/01755/2019, Computerized Case No. T201910330401755 (Poonam vs. Gunwati) 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 :- 7.11.2023

Arun/-