

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5776 of 2023

Petitioner :- Lalit Kumar And Another

Respondent :- Naib Tehsildar Dariyabad, Pargana Dariyabad,
Tehsil Ram Sanehi Ghat, Barabanki

Counsel for Petitioner :- Prabhu Ranjan Tripathi, Mrs. Sanju
Tripathi

Counsel for Respondent :- C.S.C.

Hon'ble Saurabh Lavania, J.

Heard.

At the very outset, learned counsel for the petitioners stated that he may be permitted to make necessary corrections in the prayer clause.

To the aforesaid prayer, no serious objection has been raised by the learned counsel for the State.

Accordingly, the prayer is acceded.

Learned counsel for petitioners is permitted to make necessary corrections, as prayed for, during course of the day.

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 seek expeditious disposal of Case No.2058 of 2020, Computerized Case No.T202004120202058 filed under Section 34/35 of the U.P. Land Revenue Act, 1901 pending before the respondent No.1.

It is stated that the mutation proceedings, being summary in nature, ought to have been decided expeditiously. However, in the instant case, the proceedings for mutation are pending since 2009. In these circumstances, indulgence of this Court is required in the matter. The prayer is to expedite the proceedings of pending case.

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

Considering the facts and circumstances of the case, 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-Naib Tehsildar, Dariyabad, Pargana-Dariyabad, Tehsil-Ram Sanahi Ghat, District-Barabanki to consider and decide the Case No.2058 of 2020, Computerized Case No.T202004120202058, 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 :- 9.11.2023

Vinay/-