

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5860 of 2023

Petitioner :- Mo. Musheer

Respondent :- Tehsildar, Tehsil Sirauli Gauspur, Barabanki And Another

Counsel for Petitioner :- Shiv Sharan Singh, Mohammad Arif

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-respondent(s) is hereby dispensed with.

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

"(i) to direct the opposite party no. 1 to conclude the hearing and decide the Case No. 1074/2022, and Computerized Case No. T202204120601074, under section 33/34 of U.P. Revenue Code, Badi Masjid Beach Gaon va Madarsa Islamiya Beach Gaon Gram Mahmoodabad vs. Jaahiruddin, the case is pending before The Learned Tehsildar, Tehsil Sirauli Gauspur, Barabanki, within a reasonable period fixed by this Hon'ble Court."

In view of the settled principles of law that mutation proceedings being summary in nature, should preferably be decided expeditiously and the present petition is pending since long, 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 to consider and decide the pending proceedings of Mutation Case No. 1074/2022, Computerized Case No. T202204120601074 (Badi Masjid Beach Gaon va Madarsa Islamiya Beach Gaon Gram Mahmoodabad vs. Jaahiruddin), 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 :- 9.11.2023

Jyoti/-