

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>WPMS No.2066 of 2022  <u>Hon'ble Manoj Kumar Tiwari, J.</u></p> <p>Mr. T.C. Pandey, Advocate for the petitioner.</p> <p>Mr. Yogesh Chandra Tiwari, Standing Counsel for the State of Uttarakhand.</p> <p>Heard learned counsel for the parties.</p> <p>A suit for declaration under Section 229-B of U.P.Z.A. &amp; L.R. Act has been filed by respondent nos. 1 to 4 against the petitioner and various other persons. The said suit is numbered as 22/01 of 2020-21.</p> <p>Petitioner has sought a direction to Assistant Collector, Ist Class, Dhari, District Nainital to expedite hearing of the said suit.</p> <p>Learned Standing Counsel, however, points out that there are as many as 19 persons who have been impleaded as defendants in the said suit. He further points out that uptill now, 4 parties to the said suit has passed away</p>

			<p>and applications, bringing on record their legal representatives, were filed and legal representatives of defendant nos. 17, 18 &amp; 19 have been substituted; while, legal heirs of plaintiff no. 4 are yet to be substituted. He further submits that defendant no. 11 has also passed away recently. Thus, he submits that, without substituting legal representatives of deceased parties to the suit, learned trial Court cannot proceed any further.</p> <p>Having regard to the facts &amp; circumstances of the case, this Court is not inclined to fix any timeline for deciding the suit. However, since the suit was filed in the year 2020, therefore, the writ petition is disposed of with a request to the Court concerned to make endeavour to decide the aforesaid suit as early as possible.</p> <p style="text-align: right;">(Manoj Kumar Tiwari, J.) 31.08.2022</p> <p>Arpan</p>
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