

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 3076 of 2023

Petitioner :- Sankatha Prasad

Respondent :- State Of U.P. Thru. Secy. Revenue Lko. And 2 Others

Counsel for Petitioner :- Puttan Singh

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.

By means of this petition, the petitioner seeks expeditious disposal of Case No.T20140412052900 filed under Section 34/35 of the U.P. Land Revenue Act, 1901 pending before the respondent No.2.

It is stated by the learned counsel for the petitioner 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 22.04.1991. 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.2-Naib Tehsildar, Trivediganj, Tehsil-Haidargarh District-Barabanki to consider and decide Case No.T20140412052900, 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 date a certified copy of this order is placed before the Authority concerned, if possible and if there is no other legal impediment in this regard.

Petitioner is directed to file an affidavit of undertaking before the Authority concerned that he would appear on each date fixed in the case and will not take any adjournment before the Authority concerned.

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 :- 31.5.2023/Vinay/-