

Court No. - 21

Case :- WRIT - C No. - 26705 of 2021

Petitioner :- Itrapal

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Brahma Kumar Tiwari

Counsel for Respondent :- C.S.C., Karuna Srivastava, Santosh Kumar Srivastava

Hon'ble Manoj Kumar Gupta, J.

Hon'ble Donadi Ramesh, J.

1. The order impugned dated 09.09.2021 was in consequence to the dismissal of writ petition no.91 of 2019 filed by the petitioner before this Court challenging the order passed in consolidation proceedings. It is noteworthy that there was initially an interim order operating in favour of the petitioner in the said writ petition directing the parties to maintain status quo.

2. This Court having regard to the fact that the aforesaid writ petition was dismissed in default when COVID-19 pandemic was at its peak, safeguarded the interest of the petitioner by passing an order of status quo, after recording the fact that restoration application filed in writ petition no.91 of 2019 was pending at that time.

3. We are informed that the aforesaid writ petition has since been restored by order dated 12.11.2021.

4. As the order impugned herein dated 09.09.2021 itself recites that the order would be subject to any order passed in writ petition no.91 of 2019, which has now been restored, therefore, we are of the opinion that the instant writ petition has been rendered infructuous. It is disposed of accordingly.

5. The respondent would be bound by the orders which are in operation in writ petition no.91 of 2019 or is passed at the final stage.

(Donadi Ramesh, J.)

(Manoj Kumar Gupta, J.)

Order Date :- 18.10.2023

VS