

Court No. - 48

Case :- WRIT - B No. - 2944 of 2023

Petitioner :- Nem Singh

Respondent :- Deputy Director Of Consolidation And 10 Others

Counsel for Petitioner :- Satyendra Kumar Singh

Counsel for Respondent :- C.S.C,Devendra Kumar Yadav,Krishna Kant Singh

Hon'ble Saurabh Shyam Shamsbery,J.

1. Sri Satyendra Kumar Singh learned counsel for petitioner/applicant has drawn attention of this Court on the impugned order whereby the restoration application filed by the petitioner was rejected on the ground of delay of 4-5 years and also referred application for restoration, which is annexed along with writ petition as Annexure No.9 that despite sufficient explanation was provided for condone the delay, however, same was not considered.

2. The contesting respondents have appeared through Advocate, however, today they are not present.

3. In the aforesaid circumstances, it is considered that 4-5 years delay could not be considered to be extraordinary, since case is arising out of a consolidation proceeding therefore, impugned order is set aside and delay is condoned with the direction to pay Rs.5,000/- to the State legal Authority within a period of three weeks from today, thereafter concerned authority will consider the restoration application on merit.

4. Accordingly, the writ petition is **disposed of**.

Order Date :- 6.11.2023

Md Faisal