

Court No. - 51

Case :- WRIT - C No. - 28321 of 2023

Petitioner :- Shiv Kumar Prajapati

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Nagendra Kumar Pandey

Counsel for Respondent :- C.S.C., Bhupendra Kumar Tripathi

Hon'ble Chandra Kumar Rai, J.

1. Heard learned counsel for the petitioner, Mr. Abhishek Shukla, learned Additional Chief Standing Counsel and Mr. Bhupendra Kumar Tripathi, learned Additional Chief Standing Counsel for the State-respondents.

2. In compliance of the order of this Court dated 29.8.2023, instruction dated 8.9.2023 has been placed before the Court by learned Additional Chief Standing Counsel for the State-respondents, which is taken on record.

3. Learned Additional Chief Standing Counsel for the State-respondents on the basis of instruction dated 8.9.2023 submitted that against the order dated 28.6.2022 passed by the Tahsildar in the proceeding under Section 67 of U.P. Revenue Code, 2006, restoration applications filed by private respondents are pending before the Tahsildar. He further submitted that last date fixed in the aforementioned restoration application was 21.9.2023.

4. In view of the facts mentioned in the instruction dated 8.9.2023, the instant public interest litigation is finally **disposed of** directing respondent no.2 i.e. Tahsildar, Tahsil- Macchalishar, District- Jaunpur to decide the restoration application dated 4.8.2022 filed by respondent nos.4 to 6 against the order dated 28.6.2022 passed in Case Nos.T201914360301249 (Gram Sabha vs. Vindhyavasini), T201914360301250 (Gram Sabha Vs. Anil Kumar) & T201914360301253 (Gram Sabha vs. Lal Ji) in accordance with law after affording proper opportunity of hearing to both parties, expeditiously preferably within a period of two months from the date of production of certified copy of this order before him.

5. It is made clear that this Court has not expressed any opinion on the merits of the case.

Order Date :- 26.10.2023

Rameez