

Court No. - 52

Case :- WRIT - C No. - 28801 of 2023

Petitioner :- Manju Devi

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Rama Shanker Bind,M. A. Siddiqui

Counsel for Respondent :- C.S.C.,Azad Rai

Hon'ble Saurabh Srivastava,J.

1. Heard Sri Rama Shanker Bind, learned counsel for petitioner and learned Standing counsel for State respondents.

2. Present petition has been filed seeking following reliefs:

"(i) issue a writ, order or direction, in the nature of mandamus directing the respondent no. 2 to ensure possession to the co-tenure holder by his final decree dated 03.01.2023 passed in Suit no. 4429 of 2022 (Computer Suit no. T202202030404429) (Manju Devi Versus Ram Chandra and others) under Section 116 of U.P. Land Revenue Code, 2006 in plot no. 538 area 0.590 hectare village Baraut Pargana Kewai, Tehsil Handia, District Prayagraj."

3. Learned Standing counsel came up with specific instructions which is taken on record through which it transpired that against the order dated 03.01.2023 passed in Suit no. T202202030404429, restoration application has been preferred by one Ram Chandra son of Munni Lal and in the said restoration case next date fixed for hearing is 17.11.2023 and as such prayer sought through the instant petition could not be granted.

4. In view of the aforementioned facts and circumstances, no cause of action survives for petitioner to further pursue the instant petition and the same stands ***disposed of*** with the best of hope that restoration application preferred by one Ram Chandra son of Munni Lal against order dated 03.01.2023 passed in Suit no. T202202030404429 (Manju Devi Versus Ram Chandra and others) under Section 116 of U.P. Land Revenue Code, 2006 be considered and decided by the concerned authority as expeditiously as possible preferably within a period of six months from the date of production of certified copy of this order.

Order Date :- 27.10.2023

Shaswat