

Court No. - 51

Case :- WRIT - C No. - 29267 of 2023

Petitioner :- Phoolchand

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

Counsel for Petitioner :- Suhel Akhtar, Sarfaraj Ahamad Siddiquei

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

Hon'ble Chandra Kumar Rai, J.

In Re: Civil Misc. Restoration Application No.2 of 2023

1. Heard Counsel for the parties.
2. Cause shown for non-appearance on the date fixed is sufficient.
3. Order dated 4.10.2023 is hereby recalled.
4. Writ petition is restored to its original number.

Order on Writ Petition

1. Heard Counsel for the petitioner and Mr. Rajesh Kumar Dwivedi, learned State Law Officer for State-respondents.
2. The instant writ petition has been filed praying for a mandamus directing respondent No.2, Sub District Magistrate, Madiyahun, District Jaunpur to decide the case No. 04186 of 2018, Computerized case No. T201814360604186 (Phoolchand Vs. Gaon Sabha) under Section 144 of U.P. Revenue Code, 2006 within stipulated period.
3. Counsel for the petitioner submitted that the aforesaid suit filed on behalf of the petitioner is pending in spite of the expiry of more than 5 years.
4. Certified copy of the order sheet has been annexed as Annexure No.3 to the writ petition in order to demonstrate that the case is not proceeding expeditiously.
5. Considering the facts and circumstances of the case,

without expressing any opinion on the merits of the issue, the present petition stands **disposed of** finally with a direction to respondent No.2, Sub District Magistrate, Madiyahun, District Jaunpur to consider and decide the aforementioned suit in accordance with law expeditiously and preferably within a period of **six months** from the date of production of certified copy of this order after framing issues in the suit and giving opportunity to both parties to lead evidence in accordance with law.

Order Date :- 8.11.2023

Vandana Y.