

Court No. - 47

Case :- WRIT - C No. - 29733 of 2023

Petitioner :- Vilas Ram @ Shri Vilas Mishra

Respondent :- Naib Tehsildar Tehsil Phoolpur And 3 Others

Counsel for Petitioner :- Kumar Dhananjay

Counsel for Respondent :- C.S.C.

Hon'ble Manish Kumar Nigam,J.

1. Supplementary affidavit filed today by learned counsel for the petitioner is taken on record.
2. Heard learned counsel for the petitioner, learned Standing Counsel for the State and perused the record.
3. The instant writ petition has been filed praying for a mandamus directing respondent No. 1 to decide the Restoration Application No. 1500 of 2022, (Computerized Case No. T202202030204584), Smt. Rajeshwari v. Shiv Pratap, under Section 34 of the U.P. Revenue Code, 2006 within stipulated period.
4. Learned counsel for the petitioner states that opposite party appeared before the court below. The aforesaid restoration application has been filed to recall the order 05.07.2022, which is pending since 2022, before respondent No. 1 for adjudication. He prayed that the same may be decided, expeditiously.
5. From perusal of the order sheet, annexed as Annexure No. A2 to the writ petition, it appears that several dates have been fixed by the Court concerned, however, till date, the aforesaid case has not been decided.
6. No useful purpose would be served in keeping this petition pending.
7. Considering the facts and circumstances of the case, without expressing any opinion on the merits of the case, the present petition stands disposed of finally with a direction to respondent No. 1 Naib Tehsildar, Tehsil Phoolpur, District Prayagraj to consider and decide the aforementioned restoration application, in accordance with law, expeditiously, preferably within a period of **two months** from the date of production of a certified copy of this order after giving opportunity of hearing to the parties concerned and without granting unnecessary adjournments to either of the parties provided that there is no other legal impediment.

Order Date :- 26.10.2023/Ved Prakash

(Manish Kumar Nigam, J.)