

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 9198 of 2023

Petitioner :- Zahir Ahmad

Respondent :- State of U.P. and Another

Counsel for Petitioner :- Puneet Bhadauria

Counsel for Respondent :- C.S.C.

Hon'ble Jayant Banerji,J.

Civil Misc. Recall/Restoration Application No.2 of 2023

1. This application has been filed seeking to recall the order dated 23.11.2023 and to restore the aforesaid petition to its original number that was dismissed for non-prosecution.
2. This application is supported by an affidavit of the sole petitioner. Cause shown for non-appearance is reflected in paragraphs 4 and 5 of the affidavit, which is sufficient.
3. The application is, accordingly, allowed and the petition is restored to its original number.

Order on Writ-Petition

4. Heard Shri Punit Bhadauria, learned counsel for the petitioner.
5. This petition has been filed seeking the following relief:-

"1. Set aside the order dated 28.09.2019 wherein court has directed to the plaintiff/petitioner to implead all the legal heirs of Late Mohd. Ahmad at the array of the parties and order dated 10.05.2023 whereby court has rejected the review application of the plaintiff/petitioner."
6. After the arguments were heard for some time, Shri

Bhaduaria, learned counsel for the petitioner, prays that he may be permitted to withdraw this petition as he would seek his remedy elsewhere.

7. The petition is, therefore, **dismissed**.

Order Date :- 1.12.2023

SK

(Jayant Banerji, J.)