

Court No. - 47

Case :- WRIT - C No. - 31196 of 2023

Petitioner :- Usha Devi

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Rajesh Pratap Singh

Counsel for Respondent :- C.S.C.

Hon'ble Manish Kumar Nigam,J.

1. Supplementary affidavit filed by learned counsel for the petitioner today and same 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. 2 to decide the Case No. RST/01290 of 2020, Computerized Case No. T202014360501290, within stipulated period.
4. Contention of learned counsel for the petitioner is that against an order dated 16.03.2020, an application under Order IX Rule 13 C.P.C. has been filed by the respondent No. 5. The petitioner is opposite party in the aforesaid restoration application, which is pending since 2020 before respondent No. 2 for adjudication. He prayed that the same may be decided, expeditiously.
5. From perusal of the order sheet, annexed as Annexure No. 13 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. 2, Naib Tahsildar Dobhi Tahsil, Kerakat to consider and decide the aforementioned case, in accordance with law, expeditiously, preferably within a period of three 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 :- 31.10.2023
Nitika Sri.

(Manish Kumar Nigam, J.)