

**Court No. - 47**

**Case :-** WRIT - C No. - 31763 of 2023

**Petitioner :-** Ramshiromani

**Respondent :-** State Of U.P. And 5 Others

**Counsel for Petitioner :-** Virendra Singh, Pawan Kumar Dubey, Sunil Kumar Dubey

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

**Hon'ble Manish Kumar Nigam, J.**

1. Heard learned counsel for the parties and perused the record.

2. This writ petition has been filed for following prayer:

*"(i) Issue a writ of mandamus directing the respondent no. 3 to fix stoned boundary marks of plot no. 324 & 326 situated at village Ramnagar, Pargana Kewai, Tehsil Hadia, District Prayagraj in compliance of order dated 10.01.2023 (Annexure No. 5) passed in Case no. 6068/2022 computer case no. T202202030406068 (Ramshiromani versus Gaon Sabha & others) u/s 24 of Uttar Pradesh Revenue Code, 2006 within any stipulated period as this Hon'ble Court may deem fit and proper in circumstances of case."*

3. Learned Standing Counsel was granted time to seek instruction by this Court. Today, instructions has been placed before this Court by learned Standing Counsel.

4. As per the instruction, against the order dated 10.01.2023, recall application has been filed by the opposite party which is pending consideration and the next date fixed is 06.11.2023.

5. In view of these facts, no relief can be granted to the petitioner, therefor, I am not inclined to interfere in the matter.

6. However, respondent no. 3 is directed to consider and decide the recall application expeditiously, in accordance with law, 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.

7. With the aforesaid direction, the writ petition is disposed of.

**Order Date :-** 2.11.2023

Ved Prakash

**(Manish Kumar Nigam, J.)**