

Court No. - 51

Case :- WRIT - C No. - 33528 of 2023

Petitioner :- Sadanand

Respondent :- State Of U.P.. And 7 Others

Counsel for Petitioner :- Mahendra Pratap Yadav

Counsel for Respondent :- C.S.C,Pankaj Kumar Gupta

Hon'ble Chandra Kumar Rai,J.

1. Heard learned counsel for the petitioner, Mr. Abhishek Shukla, learned Additional Chief Standing Counsel for the State-respondents and Mr. Pankaj Kumar Gupta, learned counsel for the respondent- Gram Sabha.

2. Instruction dated 22.9.2023 is placed before the Court, which is taken on record.

3. The instant petition has been filed for mandamus directing the respondent no.2 i.e. Sub-Divisional Magistrate, Tahsil-Shivbakhari, Pargana- Mahuli Paschim, Tahsil- Dhanghata to decide the restoration case No.T202217650105553 within stipulated period.

4. Learned counsel for the petitioner submitted that the aforementioned restoration application is pending before respondent no.2, which arises out of proceedings under Section 33/39 of the U.P. Land Revenue Act, 1901. He further submitted that the copy of order sheet of the case has been annexed as Annexure No.11 to the petition in order to demonstrate that the restoration case is not proceeding expeditiously.

5. Without expressing any opinion on merits of the case and keeping in view of the facts and circumstances, respondent no.2 is directed to decide the aforementioned restoration case on merits after giving an opportunity of hearing to the parties in accordance with law expeditiously preferably within a period of three months from the date of production of certified copy of this order before him.

6. Accordingly, the writ petition is finally ***disposed of.***

Order Date :- 30.11.2023

Rameez