

Court No. - 51

Case :- WRIT - C No. - 36417 of 2023

Petitioner :- Tulsiram

Respondent :- Salik Ram And 2 Others

Counsel for Petitioner :- Radha Kant Singh, Jay Shree Tripathi

Counsel for Respondent :- C.S.C.

Hon'ble Chandra Kumar Rai, J.

1. Heard learned counsel for the petitioner and learned Standing Counsel for the State-respondents.

2. The instant petition has been filed for mandamus directing the respondent no.3 i.e. Sub-Divisional Magistrate, Tahsil-Soraon, District- Prayagraj to decide the restoration application dated 22.6.2022 in Suit No.4824 of 2016, Computerized Case No.T201602323034824 (Tulsi Ram vs. Salik Ram and Others), under Section 116 of U.P. Revenue Code, 2006 within stipulated period.

3. Learned counsel for the petitioner submitted that the restoration application dated 22.6.2022 filed by the petitioner along with prayer for condonation of delay is pending before respondent no.3. He further submitted that the copy of order sheet of 6.9.2022 has been annexed as Annexure No.3 to the petition in order to demonstrate that the case is not proceeding expeditiously.

4. Without expressing any opinion on merits on the restoration application & delay condonation application and keeping in view of the facts and circumstances, respondent no.3 is directed to decide the aforementioned restoration application dated 22.6.2022 along with the prayer for condonation of delay after giving an opportunity of hearing to the parties in accordance with law expeditiously preferably within a period of two months from the date of production of certified copy of this order before him.

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

Order Date :- 7.11.2023

Rameez