

Court No. - 52

Case :- WRIT - C No. - 35023 of 2023

Petitioner :- Ramu

Respondent :- State Of U.P. And 10 Others

Counsel for Petitioner :- Kamlesh Kumar Singh

Counsel for Respondent :- C.S.C., Bhupendra Kumar Tripathi

Hon'ble Saurabh Srivastava, J.

1. Heard Sri Kamlesh Kumar Singh, learned counsel for petitioner and learned Standing Counsel for the State-respondents.

2. Present writ petition has been filed seeking following reliefs:

"A. Issue a writ, order or direction in the nature of writ of certiorari to quash the impugned order dated 29.08.2023 passed by Additional Commissioner, Varanasi Division, Varanasi in Case no. 1562 of 2017 (Computerised no. C201714001562) (Ramu versus State) under Section 219 of Land Revenue Act, 1901 as well as order dated 20.06.2015 passed by Sub Divisional Officer, Chakia, District-Chandauli in Case no. T20151418016012 (Report Lekhpal Versus Ram Briksh and others) under Section 33/39 of Land Revenue Act.

B. Issue a writ, order or direction in the nature of writ of mandamus directing the respondent authorities not to dispossess the petitioner from disputed land in question."

3. Learned counsel for petitioner submits that grievance of petitioner would sufficiently be met in case, the restoration application as mentioned in the impugned order dated 29.08.2023 is considered and decided in a time bound manner by respondent no. 4.

4. Learned Standing Counsel submits that no useful purpose would be served in keeping the writ petition pending and an appropriate direction may be issued to respondent no.4 to consider the grievance of the petitioner.

5. Be that as it may, without entering into the merits of the case as well as if there is no other legal impediment available,

the respondent no.4 is hereby directed to consider and decide the restoration application as mentioned in the impugned order dated 29.08.2023, as expeditiously as possible, preferably within a period of three months from the date of production of certified copy of this order, after affording proper opportunity of hearing to all the parties.

6. With the aforesaid directions, the writ petition stands **disposed of**.

Order Date :- 30.10.2023

Shaswat