

Court No. - 52

Case :- WRIT - C No. - 35015 of 2023

Petitioner :- Munesh Devi

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

Counsel for Petitioner :- Anil Pratap Singh Raghav

Counsel for Respondent :- CSC,S.C.

Hon'ble Saurabh Srivastava,J.

1. At the very outset, learned counsel for petitioner prays for and is allowed to implead Gaon Sabha as necessary party in the array of parties which was inadvertently left at the time of institution of petition. Necessary incorporation shall be carried out during course of the day.

2. Heard Sri Anil Pratap Singh Raghav, learned counsel for petitioner and learned Standing Counsel for the State-respondents and Sri Krishna Kant Singh, learned counsel for Gaon Sabha.

3. Present writ petition has been filed seeking a direction in the nature of mandamus to be issued in favour of the respondent no.2 to decide restoration application dated 15.05.2019 in Case No. 8/98, Computerized Case No. D20081820038 (Krishna Kumar vs. Khajan Singh and others), under Section 198(4) of U.P. Z.A & L.R. Act expeditiously.

4. Learned counsel for petitioner submits that grievance of petitioner would sufficiently be met in case, the aforesaid restoration application dated 15.5.2019 is considered and decided in a time bound manner by respondent no. 2.

5. 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.2 to consider the grievance of the petitioner.

6. 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.2 is hereby directed to consider and decide restoration application dated 15.05.2019 in Case No. 8/98, Computerized Case No. D20081820038 (Krishna Kumar vs. Khajan Singh and others), under Section 198(4) of U.P. Z.A & L.R. Act, 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.

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

Order Date :- 18.10.2023

Shaswat