

Court No. - 49

Case :- WRIT - B No. - 3575 of 2023

Petitioner :- Ali Nabi And Another

Respondent :- Ishhaq And 2 Others

Counsel for Petitioner :- Parvez Alam, Mohammad Fazil

Counsel for Respondent :- C.S.C.

Hon'ble Syed Qamar Hasan Rizvi, J.

1. Heard Sri Mohd. Israr, Advocate holding brief of Sri Parvez Alam, learned counsel for the petitioners, Sri Anshul Nigam, learned Standing Counsel representing the State-respondent nos. 2 & 3 and perused the record.

2. The instant writ petition has been filed, inter alia, for the following relief:

"(i) To issue a writ, order or direction in the nature of mandamus directing the learned court of Board of Revenue, Uttar Pradesh, Allahabad to decide the Case No. REC/2882/2022 (Ishhaq versus Fariyad and others) filed by the petitioners/applicants, under Section 331 of U.P. Zamindari Abolition and Land Reforms Act, 1950, expeditiously within stipulated period, which this Hon'ble Court may fix.

(ii)

(iii)"

3. The contention of the learned counsel for the petitioners is that he has filed an application for recall of the order dated 03.02.2022 by means of which the review of the petitioner has been dismissed. The submission of the learned counsel for the petitioner is that aforesaid Recall Application No. REC/2882/2022, Computerized Case No.AL20221338002882, for recall of the order dated 03.02.2022 along with application for condonation of delay, is pending for disposal.

4. Learned Standing Counsel submits that he has no objection to the extent that a direction is issued by this Court for expeditious disposal of the aforesaid pending application for recall within stipulated period as to be fixed by this Court.

5. In view of the nature of the order proposed to be passed, the

service of notice upon the respondent no.1 is dispensed with.

6. Taking into consideration the facts and circumstances of the case, this Court is of the view that no useful purpose would be served in keeping this writ petition pending.

7. Accordingly, without advertng on merits of the case and with the consent of the parties, this Court deems it appropriate to finally dispose of the present writ petition with a direction to learned Board of Revenue, U.P. at Allahabad (respondent No.3), to decide the aforesaid Recall Application No. REC/2882/2022, Computerized Case No. AL20221338002882 and the application for condonation of delay filed along with it, strictly in accordance with law, by a reasoned and speaking order on merit after affording opportunity of hearing to the parties concerned, as expeditiously as possible, unless there is any legal impediment. It is further directed that no unnecessary adjournments be granted to either of the parties.

8. With the aforesaid direction, the present writ petition is **disposed of**.

Order Date :- 17.10.2023

Abhishek Gupta