

Court No. - 52

Case :- WRIT - C No. - 36251 of 2023

Petitioner :- Tetari Devi

Respondent :- State Of U.P. And 6 Others

Counsel for Petitioner :- Pramod Kumar Sahani

Counsel for Respondent :- C.S.C.,Rameshwar Prasad Shukla

Hon'ble Saurabh Srivastava,J.

1. Heard Sri Pramod Kumar Sahani, learned counsel for petitioner and learned Standing Counsel for the State-respondents no.1 to 4 as well as Sri Rameshwar Prasad Shukla, learned counsel for the respondent no.5.

2. Present writ petition has been filed seeking a direction in the nature of mandamus to be issued in favour of the respondent no.3 to restore the boundaries of Gata nos.418 and 419 pertain to the petitioner by erecting stones thereon, expeditiously.

3. It is the case of the petitioner that vide order dated 30.07.2016, erection of permanent marks was done of the revenue authorities over the said plots but respondent nos.6 and 7 destroyed the boundary and also removed the stones, being aggrieved with the same, petitioner preferred application dated 29.06.2021 which is still pending to be decided. Learned counsel for the petitioner further submitted that against the order dated 30.07.2016, recall application was filed but the has been not pressed vide order dated 18.06.2021.

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.3 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.3 is hereby directed to consider and decide the application dated 29.06.2021 preferred by the petitioner, as expeditiously as possible, preferably within a period of six months from the date a certified copy of this order is produced before him after affording proper opportunity of hearing to all the concerned parties.

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

Order Date :- 30.10.2023

Vivek Kr.