

Court No. - 47

Case :- WRIT - C No. - 36273 of 2023

Petitioner :- Sitaram And 2 Others

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Vinod Kumar Shukla, Ashutosh Shukla

Counsel for Respondent :- C.S.C.

Hon'ble Manish Kumar Nigam, J.

1. Supplementary affidavit filed today is taken on record.
2. Heard learned counsel for the petitioner, learned Standing Counsel for the State and perused the record.
3. The instant writ petition has been filed for following relief:

"(ii) to issue a writ, order or direction in the nature of mandamus directing the respondent no. 3 to decide the Revision No. 1199 of 2023 (Nagendra Bahadur Vs. Amar Bahadur and others) preferred by respondent no. 5 under Section 219 U.P. Revenue Code against the order dated 27.05.2023 passed by respondent no. 4 in Restoration Application No. 2843 of 2023 Amar Bahadur and others Vs. Nagendra Bahadur and others Under Section 34 of U.P.Z.A. & L.R. Act."
4. Contention of the learned counsel for the petitioner is that the petitioner is opposite party in the revision No. 1199 of 2023 (Nagendra Bahadur Vs. Amar Bahadur and others) and the petitioner has also filed the objection in the aforesaid revision. He prayed that the same may be decided, expeditiously.
5. From perusal of the order sheet, annexed as Annexure No. 7 to the writ petition, it appears that several dates have been fixed by the Court concerned, however, till date, the aforesaid case has not been decided.
6. No useful purpose would be served in keeping this petition pending.
7. Considering the facts and circumstances of the case, without expressing any opinion on the merits of the case, the present petition stands disposed of finally with a direction to respondent No. 3 Nayab Tehsildar, Tehsil- Machlishahar, District Jaunpur, to

consider and decide the aforementioned case, in accordance with law, expeditiously, preferably within a period of **three months** from the date of production of a certified copy of this order after giving opportunity of hearing to the parties concerned and without granting unnecessary adjournments to either of the parties provided that there is no other legal impediment.

Order Date :- 30.10.2023

Ved Prakash

(Manish Kumar Nigam, J.)