

Court No. - 47

Case :- WRIT - C No. - 37166 of 2023

Petitioner :- Dadhibal

Respondent :- State Of U.P. And 9 Others

Counsel for Petitioner :- Chhote Lal Bhartiya

Counsel for Respondent :- C.S.C.,Sudhir Bharti

Hon'ble Manish Kumar Nigam,J.

1. Heard learned counsel for the petitioner, learned Standing Counsel for the State and perused the record.

2. The instant writ petition has been filed for following relief:

"i) issue a writ, order or direction in the nature of certiorari to quash order dated 14.07.2008 passed by Up Ziladhikari Barhaj, Respondent no. 5 and order dated 25.07.2013 passed by Addl. Commissioner, Gorakhpur as well as order dated 14.07.2023 passed by Addl. Commissioner(Admit III), Gorakhpur."

3. Contention of the learned counsel for the petitioner is that an ex-parte order has been passed in proceedings under Section 229B of U.P. Z.A. & L.R. Act against which respondent no. 5 filed a restoration application which was allowed by order dated 25.07.2013. Against the said order, petitioner filed a revision that has been dismissed and is impugned in the present writ petition.

4. Admittedly, the order passed is ex-parte and the proceedings under Section 229B of U.P. Z.A. & L.R. Act are pending since 2007.

5. Since both the parties appeared before the court below, the respondent authorities are directed to consider and decide the proceedings under Section 229B of U.P. Z.A. & L.R. Act, in accordance with law, expeditiously, preferably within a period of **six 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.

6. With the aforesaid observation, this writ petition is disposed of.

Order Date :- 30.10.2023

Ved Prakash

(Manish Kumar Nigam, J.)