

Court No. - 47

Case :- WRIT - C No. - 36838 of 2023

Petitioner :- Urmila Devi

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

Counsel for Petitioner :- Dharmendra Kumar Srivastava, Veer Bhadra Singh

Counsel for Respondent :- C.S.C., Bhupendra Kumar Tripathi

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 praying for a mandamus directing respondent No. 2 to decide the restoration application dated 10.10.2022 and original mutation under Section 35 of the U.P. Revenue Code, 2006 in case no. 1706 of 2015 (Urmila Vs. Babbun and others), within stipulated period.
3. Contention of learned counsel for the petitioner is that against an ex-parte order dated 17.06.2015 passed in mutation proceedings, a restoration application has been filed by the petitioner in the year 2022, which is pending since then. Learned counsel for the petitioner states that opposite parties have appeared before the court below in the aforesaid proceedings.
4. From perusal of the order sheet, annexed as Annexure No. 5 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.
5. No useful purpose would be served in keeping this petition pending.
6. 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. 2- Tehsildar, Tehsil Shahganj, 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 :- 2.11.2023

Nitika Sri.

(Manish Kumar Nigam, J.)