

Court No. - 47

Case :- WRIT - C No. - 36669 of 2023

Petitioner :- Baburam

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Ajay Kumar

Counsel for Respondent :- C.S.C.

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 the following relief:

"i- Issue a writ, order or direction in the nature of MANDAMUS commanding and directing the respondent authority to maintain the status quo over the Aarji No. 79 having an area 0.0380 hectare till decide the restoration/recall application of the petitioner in Case No. 1146 of 2018 (Computerized Case No. T20184290401146) (Report Lekhpal Vs. Baburam) under Section 67 of U.P. Revenue Code, 2006, pending before the respondent No. 2."

3. Contention of the learned counsel for the petitioner is that against the ex-parte order dated 08.01.2021 passed by respondent no. 3 in proceedings under Section 67 of U.P. Revenue Code, 2006, the petitioner has filed a recall/restoration application on 06.07.2021 and the same is pending.

4. No useful purpose would be served in keeping this petition pending.

5. Without entering into the merits of the case, it is being directed to respondent No. 3 Tehsildar, Tehsil Saidpur, District Ghazipur that the recall application filed in Case No. Case No. 1146 of 2018 (Computerized Case No. T20184290401146), under Section 67 of the U.P. Revenue Code, 2006 be decided expeditiously, preferably within a period of **two 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. Till decision of the recall application, no coercive action shall be taken against the petitioner.

7. With the aforesaid observation, the writ petition is disposed of.

Order Date :- 26.10.2023/Ved Prakash