

Court No. - 51

Case :- WRIT - C No. - 36858 of 2023

Petitioner :- Harilal

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

Counsel for Petitioner :- Sunil Kumar Srivastava

Counsel for Respondent :- C.S.C.

Hon'ble Chandra Kumar Rai,J.

1.Heard Counsel for the petitioner and Mr. Rajesh Kumar Dwivedi, learned State Law Officer for State-respondents.

2.The instant writ petition has been filed praying for a mandamus directing respondent No.2/ learned Court of Tehsildar Judicial,Tehsil-Padrauna, District-Kushinagar to decide the Restoration/Kayami Application registered as computerized case No. T199505440100003 (Harilal Vs Ganesh and another) under Section 33/34 of U.P. Land Revenue Act,1901 within stipulated period.

3. Learned counsel for the petitioner submitted that Additional Tehsildar has passed the mutation order in favour of petitioner on 15.06.1993. He further submitted that respondent No.3 filed a restoration application on 07.02.1995 against the order dated 15.06.1993 which was allowed vide order dated 19.05.1995 without notice and opportunity to petitioner. Petitioner filed a restoration application on 13.09.1995 against the order dated 19.05.1995 which is registered as Case No.T199505440100003 before Tehsildar and same is still pending. He further placed certified copy of the order sheet, which has been annexed as Annexure No.5 to the writ petition in order to demonstrate that the case is not proceeding expeditiously.

4. Considering the facts and circumstances of the case, without expressing any opinion on the merits of the issue, the present petition stands **disposed of** finally with a direction to respondent No.2/ learned Court of Tehsildar Judicial, Tehsil-Padrauna, District-Kushinagar to consider and decide the aforementioned mutation case in accordance with law expeditiously and preferably within a period of **two months** from the date of production of certified copy of this order after giving opportunity of hearing to the parties concerned and without granting unnecessary adjournments to either of the parties.

Order Date :- 27.10.2023

PS*