

Court No. - 47

Case :- WRIT - C No. - 37086 of 2023

Petitioner :- Chandradei And Another

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

Counsel for Petitioner :- Kamlesh Prasad, Akhilesh Bharti, Buddhi Prakash, Manoj 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:

"A. Issue writ order or direction in the nature of mandamus directing the respondent authority to decide the Restoration Application dated 05.02.2016 filed in Case No. 2068/242 new computerized No. T2013052021411, under Section 34/35 of Land Revenue Act (Chandradei Vs. Chanramauli) pending in the Court of respondent no. 3, within stipulated period as fixed by this Hon'ble Court."

3. Contention of the learned counsel for the petitioner is that against an order dated 04.10.2014 & 23.05.2006, a restoration application has been filed by the petitioner which is pending since 05.02.2016. It is further stated by learned counsel for the petitioner that the opposite party has appeared before the court below.

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

5. 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/Naib Tehsildar Tehsil Salempur, District Deoria, to consider and decide the aforementioned restoration application, in accordance with law, 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.

Order Date :- 28.10.2023

Ved Prakash

(Manish Kumar Nigam, J.)