

Court No. - 51

Case :- WRIT - C No. - 37393 of 2023

Petitioner :- Manogi

Respondent :- State Of U.P. And 10 Others

Counsel for Petitioner :- Arun Kumar Singh

Counsel for Respondent :- C.S.C.,Rameshwar Prasad Shukla

Hon'ble Chandra Kumar Rai,J.

1.Heard learned counsel for the petitioner, Mr. Rajesh Kumar Dwivedi, learned State Law Officer for the State-respondents and Mr. Rameshwar Prasad Shukla, learned counsel for the Gram Panchayat.

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 Sub Divisional Officer, Marteenganj, District-Azamgarh/respondent No.3 to decide the Restoration Application of the petitioner dated 11.12.2018 in Case No. T202115060801904 (Case No.239 of 2010) (Computerized Case No.T20101562127) (Manogi Vs. Ramanand) forthwith."

3. Learned Counsel for the petitioner submitted that in the proceeding under Section 29/ 41 of U.P. Land Revenue Act, 1901, an order was passed affecting the interest of the petitioner, accordingly, petitioner applied for restoration along with the prayer of condonation of delay which is pending before the respondent No.3. He further placed certified copy of the order sheet of pending proceeding, which has been annexed as Annexure No.4 to the writ petition in order to demonstrate that the case is not proceeding expeditiously even after expiry of more than five years.

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.3/ Sub Divisional Officer, Marteenganj, District-Azamgarh to conclude the proceeding of aforementioned restoration case in accordance with law expeditiously and preferably within a period of **three 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 :- 31.10.2023

PS*