

Court No. - 52

Case :- WRIT - C No. - 37497 of 2023

Petitioner :- Rauf

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Vivek Singh, Sanjai Kumar Singh

Counsel for Respondent :- C.S.C., Sudhir Bharti

Hon'ble Saurabh Srivastava, J.

1. Heard Sri Vivek Singh, learned counsel for the petitioner and Sri Shashikant Kushwaha, learned Standing Counsel for the State-respondent nos.1 and 4 as well as Sri Sudhir Bharti, learned counsel for respondent no.6 i.e. Gram Sabha.

2. At the very outset, learned counsel for the petitioner confined his prayer only to the extent that the respondent no.4 may be directed to decide the restoration application preferred by petitioner for seeking recall of the order dated 17.12.2019 passed by respondent no.4 in Case No.13715 of 2019 (Gram Sabha Bailo Vs. Rauf), under Section 67 of U.P. Revenue Code, 2006. However learned counsel for petitioner fairly stated that petition does not contain the pleadings regarding filing and pendency of the said restoration application preferred by petitioner and requested that the Court may kindly take notice of this fact on the basis of verbal statement made by learned counsel for petitioner before this Court.

3. Learned Standing Counsel showed his agreement to the extent that only a direction may be issued to the respondent no.4 to decide the aforesaid restoration application within stipulated time.

4. Be that as it may, without entering into the merits of the case as well as if there is no other legal impediment available, the respondent no.4 is hereby directed to consider and decide the restoration application preferred by petitioner for seeking recall of the order dated 17.12.2019 passed by respondent no.4 in Case No.13715 of 2019 (Gram Sabha Bailo Vs. Rauf), under Section 67 of U.P. Revenue Code, 2006 within a period of three months from the date a certified copy of this order is produced before him after affording proper opportunity of hearing to all the concerned.

5. The instant petition stands **disposed of** with the aforesaid direction.

Order Date :- 20.11.2023

Vivek Kr.