

Court No. - 47

Case :- WRIT - C No. - 37788 of 2023

Petitioner :- Harilal Chauhan

Respondent :- State Of U.P. And 14 Others

Counsel for Petitioner :- Arun Kumar Singh

Counsel for Respondent :- C.S.C., Bhupendra Kumar Tripathi

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 following relief:

"I. Issue a writ, order or direction in the nature of mandamus, commanding and directing the Sub Divisional Officer, Jakhaniya, District-Ghazipur/respondent no. 3 to decide the Restoration Application of the respondent no. 5 alongwith Delay Condonation Application dated 06.05.2023 pending in Case no. 4857 of 2022 (Computerized Case no. T202214290504857) (Harilal Versus Sudama) forthwith."

3. Contention of the learned counsel for the petitioner is that against the order dated 25.01.2023, a restoration application has been filed by respondent no. 5 along with delay condonation application which is pending consideration. Petitioner is opposite party in the aforesaid restoration application. He prayed that the same may be decided, expeditiously.

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

6. 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. 3 Sub Divisional Officer, Jakhaniya, District-Ghazipur to consider and decide the aforementioned restoration application, in accordance with law, expeditiously, preferably within a period of **three 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 :- 9.11.2023

Ved Prakash

(Manish Kumar Nigam, J.)