

Court No. - 51

Case :- WRIT - C No. - 39182 of 2023

Petitioner :- Himanshu

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

Counsel for Petitioner :- Gyan Prakash Verma

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

Hon'ble Chandra Kumar Rai, J.

1. Heard Counsel for the petitioner, Mr. Sanjay Kumar Srivastava, learned State Law Officer for the State-respondents and Mr. Rameshwar Prasad Shukla, Counsel for respondent no.11, Land Management Committee.

2. The instant writ petition has been filed praying for a mandamus directing respondent No.2, Sub Divisional Officer, Tehsil Burhnpur, District Azamgarh to decide the restoration case No. RST/ 3998 of 2023, Computerized case No. T202315060603998 (Sudamee Vs. Himanshu and Others) under Section 116 of U.P. Revenue Code, 2006 within stipulated period.

3. Counsel for the petitioner submitted that against the order dated 14.6.2023, restoration application along with the prayer for condonation of delay has been filed on behalf of the petitioner which is pending for adjudication before respondent no.2.

4. Certified copy of the order sheet has been annexed as Annexure No.6 to the writ petition in order to demonstrate that the case is not proceeding expeditiously.

5. 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, Sub Divisional Officer, Tehsil Burhnpur, District Azamgarh to consider and decide the aforementioned restoration case after passing necessary order on the delay condonation matter 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. It is made clear that this Court has not expressed any opinion on the merit of restoration application.

Order Date :- 30.11.2023

Vandana Y.