

Court No. - 51

Case :- WRIT - C No. - 38788 of 2023

Petitioner :- Mathura Prasad Sanskrit Vidyalaya

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

Counsel for Petitioner :- Yogesh Mishra, Sumit Shukla

Counsel for Respondent :- C.S.C., Azad Rai

Hon'ble Chandra Kumar Rai, J.

1. Heard learned counsel for the petitioner, Sri Azad Rai, learned counsel for the respondent-gaon sabha and the learned standing counsel for the state-respondents.

2. The instant writ petition has been filed, seeking a writ of mandamus, commanding respondent no.3/S.D.M., Koraon, District Prayagraj to decide the restoration application dated 17.9.2019, against the orders dated 2.8.2017/28.7.2018 along with the delay condonation application, registered as Restoration Case No.RST/00437/2018 (Computerized Case No.T201802030900437) (Chandrama vs. Ram Chandra), under Section 116 of the U.P. Revenue Code, 2006, within the stipulated time.

3. Counsel for the petitioner states that the aforesaid restoration application is pending before respondent no.3 since 17.9.2019. Copy of the order sheet has been annexed as Annexure No.5 to the writ petition, in order to demonstrate that the matter is not proceeding expeditiously.

4. In view of the facts and circumstances of the case, without expressing any opinion on the merits of the case, this petition is disposed of with the direction to respondent no.3 to decide the aforesaid restoration application as well as delay condonation application, as expeditiously as possible, preferably within a period of 3 months, from the date of production of a certified copy of this order before the authority concerned, after affording proper opportunity of hearing to the parties concerned, in accordance with law.

Order Date :- 8.11.2023

C.Prakash