

Court No. - 47

Case :- WRIT - C No. - 38784 of 2023

Petitioner :- Mainuddin

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Ashwani Kumar Pathak, Brijesh Shukla

Counsel for Respondent :- C.S.C.

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 praying for a mandamus directing respondent No. 2 to decide the Case No. 109,/ 120/ 2007-2008, Computerized Case No. C20080500001307, and present changed case no. RST/55/2022 Computerized Case No. C202205000000055 (Naimuddin Vs Mainuddin) under Section 229 (B) of U.P.Z.A.L.R. Act, 1950, within stipulated period.
3. Contention of learned counsel for the petitioner is that respondent no. 3 filed a restoration application for recalling the order dated 07.02.2019 passed in revision and same was allowed by order dated 01.07.2022. The revision has been restored and the same is pending since then. Petitioner is opposite party in the aforesaid revision.
4. From perusal of the order sheet, annexed as Annexure No. 2 to the writ petition, it appears that several dates have been fixed by the Court concerned, however, till date, the aforesaid case has not been decided.
5. 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. 2- Additional Commissioner Administration Fourth, Gorakhpur to consider and decide the aforementioned case, 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 :- 8.11.2023

Nitika Sri.

(Manish Kumar Nigam, J.)