

Court No. - 47

Case :- WRIT - C No. - 38330 of 2023

Petitioner :- Rupesh Kumar Gupta And Another

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

Counsel for Petitioner :- Ravindra Nath Yadav, Abhishek Kumar Yadav

Counsel for Respondent :- C.S.C.

Hon'ble Manish Kumar Nigam, J.

1. Heard learned counsel for the parties and perused the record.
2. The instant writ petition has been filed praying for a mandamus directing respondent No.2 - Additional District Magistrate (Finance & Revenue), Jaunpur to decide the Restoration Application dated 04.06.2022 in Case No.2665 of 2021 being Computerized Case No.D202114360002665 (Tej Bahadur vs. State), within stipulated period.
3. Contention of learned counsel for the petitioners is that against an *ex parte* order dated 8.12.2021 passed in proceedings u/s 30 of the U.P. Revenue Code, 2006, petitioners have filed restoration application which is pending since 4.6.2022. Despite several dates have been fixed, the same has not been decided till date. He prayed that the same may be decided expeditiously.
4. No useful purpose would be served in keeping this petition pending.
5. 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 District Magistrate (Finance & Revenue), Jaunpur to consider and decide the aforesaid restoration application, in accordance with law, expeditiously, preferably within a period of **one month** 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 there is no other legal impediment.

Order Date :- 7.11.2023

Rishabh

[Manish Kumar Nigam, J.]