

**Court No. - 51**

**Case :-** WRIT - C No. - 40066 of 2023

**Petitioner :-** Ramkuwar Yadav

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

**Counsel for Petitioner :-** Praveen Kumar Singh, Rupesh Kumar Singh

**Counsel for Respondent :-** C.S.C.

**Hon'ble Chandra Kumar Rai, J.**

1. Heard Sri Praveen Kumar Singh, learned counsel for the petitioner and Sir Abhishek Shukla, learned Addl. C.S.C. for the state-respondents.

2. Sri Abhishek Shukla, learned Addl. C.S.C. on the basis of the instruction dated 1.12.2023, which is taken on record, submitted that against the order dated 1.12.2023, passed under Section 24 of the U.P. Revenue Code, 2006, a restoration application has been filed by Smt. Lalmati which is pending consideration before the S.D.O., Madhuban, Mau. It is further submitted that on the basis of restoration application filed by Smt. Lalmati, Case No.T202315510303638 (Ram Kunwar vs. Gaon Sabha), under Section 209(Ja) has been registered by respondent no.3 wherein 11.12.2023 is the next date fixed. He further submitted that in view of pendency of the restoration proceeding, petitioner is not entitled to the relief claimed in the writ petition.

3. Considering 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/Sub Divisional Magistrate, Madhuban, Mau to decide the aforesaid proceedings under Section 209(Ja), as expeditiously as possible, preferably within a period of 2 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 :-** 7.12.2023

C.Prakash