

Court No. - 47

Case :- WRIT - C No. - 40162 of 2023

Petitioner :- Sripati Yadav

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

Counsel for Petitioner :- Satish Kumar Pandey

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 - Sub-Divisional Magistrate, Sadar Ballia to decide the restoration/recall application dated 4.7.2023 bearing Case No.5570 of 2023 (Computerized Case No.T202315090305570, under Section 209(Ja) of U.P. Revenue Code, 2006 within stipulated period.
3. Contention of learned counsel for the petitioner is that against the order dated 5.6.2023, a restoration application was filed by the petitioner on 4.7.2023 and the same is pending since then. The opposite party appeared before the Court below. 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 - Sub-Divisional Magistrate, Sadar Ballia to consider and decide the aforesaid restoration application, in accordance with law, expeditiously, preferably within a period of **two 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 there is no other legal impediment.

Order Date :- 22.11.2023

Rishabh

[Manish Kumar Nigam, J.]