

Court No. - 51

Case :- WRIT - C No. - 40214 of 2023

Petitioner :- Zalil Ahmad

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Ram Prasad Yadav

Counsel for Respondent :- C.S.C., Pankaj Kumar Gupta

Hon'ble Chandra Kumar Rai, J.

1. Heard learned counsel for the petitioner, Mr. Anil Srivastava, learned Standing Counsel for the State-respondents and Mr. Pankaj Kumar Gupta, learned counsel for the respondent-b Gaon Sabha.

2. The instant petition has been filed for mandamus directing the respondent no.3 i.e. Tahsildar, Tahsil-Harriaya, District- Basti to decide the Case No.RST/9473/2021, Computerized Case No.T202117140109473 (Zalil Ahmad vs. Ishtkayam Hussain), under Section 34 of U.P. Revenue Code, 2006 within stipulated period.

3. Learned counsel for the petitioner submitted that the mutation order was passed in favour of the petitioner by the Tahsildar on 27.11.2021 against which restoration application dated 28.12.2021 has been filed at the instance of respondent no.5 along with the prayer for condonation of delay, which is pending for last more than two years. He further placed the copy of the order sheet, which has been annexed as Annexure No.5 to the writ petition.

4. Without expressing any opinion on merits of the case and keeping in view of the facts and circumstances, respondent no.3 is directed to decide the aforementioned restoration case after giving an opportunity of hearing to the parties in accordance with law expeditiously preferably within a period of two months from the date of production of certified copy of this order before him.

5. Accordingly, the writ petition is finally ***disposed of.***

Order Date :- 7.12.2023

Rameez