

Court No. - 47

Case :- WRIT - C No. - 42369 of 2023

Petitioner :- Satish Kumar

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Pradeep Kumar Srivastav

Counsel for Respondent :- C.S.C., Kaushal Kishore Mani

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 present petition has been filed for the following relief:

"i. Issue a writ, order or direction in the nature of mandamus commanding the Up-Ziladhikari, Sadar, District- Saharanpur to decide the restoration application dated 14.02.2019 filed by the petitioner which is still lying pending before him in Case No. RA/2018 (Devendra Versus Smt. State).

ii. Issue a writ, order or direction in the nature of mandamus commanding the respondent no. 2 to suspend the implementation of the impugned order dated 04.01.2019 till the disposal of the restoration application dated 14.02.2019 filed by the petitioner which is still lying pending before him."

3. Contention of learned counsel for the petitioner is that against an order dated 04.01.2019 allowing the the restoration application filed by the respondent no. 4, petitioner filed a restoration application on 14.02.2019, which is pending since then. It has been further contended that opposite party has appeared before the court below.

4. From perusal of the order sheet, annexed as Annexure No. 4 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- Up- Ziladhikari, Sadar, District- Saharanpur to consider and decide the aforementioned case, 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 that there is no other legal impediment.

Order Date :- 8.12.2023

Nitika Sri.

(Manish Kumar Nigam, J.)

