

Court No. - 51

Case :- WRIT - C No. - 41630 of 2023

Petitioner :- Reshami

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

Counsel for Petitioner :- Kirt Raj Yadav

Counsel for Respondent :- C.S.C

Hon'ble Chandra Kumar Rai,J.

1.Heard Counsel for the petitioner and Mr. Shridhar Tripathi, learned Standing Counsel for the State-respondents.

2.The instant writ petition has been filed praying for a mandamus directing respondent No. 2-Naib Tehsildar, Tehsil Phulpur, District Azamgarh to decide the proceeding of Recall/Restoration Application filed by respondent no. 3 on 21.12.2015 which has been registered as RST/1218/2022 (Reshami Vs. Budhani) Computerized Case No. T-202215060301218, under Section 35 of U.P. Revenue Code, 2006, within stipulated period.

3. Learned counsel for the petitioner submitted that the aforementioned mutation case a mutation order was passed in favour of petitioner in the year 2008. He further submitted that restoration/recall application dated 21.12.2015 along with the prayer for condonation for delay filed by contesting respondent is pending before respondent no. 2. He further placed copy of the restoration application as well as order sheet of the case in order to demonstrate that the case is not proceeding expeditiously.

4. Considering the facts and circumstances of the case, without expressing any opinion on the merits of the issue, the present petition stands **disposed of** finally with a direction to respondent No. 2-Naib Tehsildar, Tehsil Phulpur, District Azamgarh to consider and decide the aforementioned case in accordance with law expeditiously and preferably within a period of six weeks from the date of production of certified copy of this order after giving opportunity of hearing to the parties concerned and without granting unnecessary adjournments to either of the parties.

Order Date :- 4.12.2023

S.A.