

Court No. - 53

Case :- CRIMINAL MISC. WRIT PETITION No. - 18511 of 2023

Petitioner :- Mamtullah Shekh

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

Counsel for Petitioner :- Hemant Kumar Dubey

Counsel for Respondent :- G.A.

Hon'ble Syed Aftab Husain Rizvi,J.

Heard learned counsel for the petitioner, learned A.G.A. for the State and perused the record.

The only prayer made by the petitioner is that a direction be issued to the respondent no.5 (Commissioner, Gorakhpur Division, Gorakhpur) to decide the stay application which has been filed along with Appeal No.C202305000001861 of 2023 within the stipulated period.

Considering the facts and circumstances of the case and without expressing any opinion on the merits of the case, this writ petition is finally disposed off with a direction to respondent no.5 (Commissioner, Gorakhpur Division, Gorakhpur) to decide aforesaid stay application of the petitioner, accordance with law, without granting unnecessary adjournments to either of the parties, as expeditiously as possible, preferably within a period of four weeks from the date of production of certified copy of this order, if there is no legal impediment.

For a period of four weeks or till disposal of stay application, whichever is earlier, the externment order dated 26.09.2023 passed by Additional District Magistrate (Finance and Revenue), Deoria shall remain in abeyance.

Order Date :- 5.12.2023

MN/-