

Court No. - 47

Case :- WRIT - C No. - 41805 of 2023

Petitioner :- Pavan Kumar Rai

Respondent :- State of U.P. and Another

Counsel for Petitioner :- Abhishek Rai

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, Tehsil - Maunath Bhanjan, District - Mau, to decide the recall application filed in Case No.10574 of 2022 being Computerized Case No.T202215510110574, State of U.P. vs. Malti Devi, under Section 209(ja) of the U.P. Revenue Code, 2006 within stipulated period.
3. Learned counsel for the petitioner submitted that opposite party has appeared before the Court below and the aforesaid recall application is pending consideration. 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, Tehsil - Maunath Bhanjan, District - Mau, to consider and decide the aforesaid recall 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 :- 5.12.2023

Rishabh

[Manish Kumar Nigam, J.]