

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5232 of 2023

Petitioner :- Akhilesh Kumar

Respondent :- The Court Of Nayab Tehsildar, Tehsil Musafirkhana, Amethi
And 2 Others

Counsel for Petitioner :- Rudra Mani Shukla

Counsel for Respondent :- C.S.C.,Ajay Sharma,Rajesh Kumar Singh

Hon'ble Saurabh Lavania,J.

Counter and supplementary affidavits filed in the Court today are taken on record.

Heard Sri Rudra Mani Shukla, learned counsel for the petitioner, Sri Anurag Kumar Maurya, learned State counsel appearing for the respondent No. 1 and Sri Ajay Sharma, learned counsel appearing for the respondent No. 2.

By means of this petition, the petitioner has sought the following main relief:-

"(i) Pass an order or direction to the opp. party no. 1 i.e. Court of Nayab Tehsildar, Tehsil Musafirkhana, District Amethi to expeditiously decide the petitioner's case numbered as RST/2895/2015 Computerized Case No. T-20150471022895 "Akhilesh Kumar versus Ram Lakhan" under Section 34 of U.P. Revenue Code, pending before the opp. party no. 1."

It appears from the record particularly the certified copy of the order-sheet annexed as Annexure No. 4 to this petition as also from the copy of order-sheet annexed with the supplementary affidavit filed in the Court today particularly the orders dated 29.02.2016 and 04.03.2026 that the case in issue i.e. Case No. RST/2895/2015, Computerized Case No. T-20150471022895 (Akhilesh Kumar versus Ram Lakhan) was dismissed for want of prosecution on 29.02.2016 and thereafter, an application was preferred for recall of the order dated 29.02.2016 by the petitioner, however, no order has been passed on the application for recall of the order dated 29.02.2016 till date. Thus, the case in issue has not been restored till date and despite this, the present petition has been preferred for expeditious disposal of the same.

For the reasons aforesaid, the present petition is completely misconceived and the petitioner is not entitled to main relief sought in this petition, quoted above. The petition is accordingly **dismissed**.

Order Date :- 13.10.2023

Arun/-