

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5367 of 2023

Petitioner :- Ramnath

Respondent :- Sub Divisional Magistrate, Tahsil Kadipur, Sultanpur And 12 Others

Counsel for Petitioner :- Rakesh Kumar Nayak

Counsel for Respondent :- C.S.C., Mohan Singh

Hon'ble Saurabh Lavania, J.

Heard learned counsel for the parties.

In view of order proposed to be passed, issuance of notice to the private-respondents is hereby dispensed with.

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

"Wherefore, it is most respectfully prayed that this Hon'ble Court may kindly be pleased to direct the opposite party No. 1 to decide the Restoration Application dated 28.01.2023 pending in Computerize case no. C202204680402778 "Ramnath Vs. Gram Panchayat & others" U/S 24 of U.P. Revenue Code- 2006, pending since 28.01.2023 before opposite party No. 1 expeditiously within a stipulated period as this Hon'ble Court deem just and proper".

It is submitted that for the reasons beyond control of the petitioner, the application, in issue, is not being decided and on account of pendency of the same, the petitioner is suffering great hardship and mental agony. In these circumstances, indulgence of this Court is required in the matter. The prayer is to expedite the proceedings of pending application.

Considering the facts and circumstances of the case, this Court is of the view that no fruitful purpose will be served in keeping this petition pending. Accordingly, this petition is disposed of with a direction to the respondent No.1 to consider and decide the application, in issue, dated 28.01.2023 most expeditiously after affording full opportunity of hearing to the parties to the litigation and without granting any adjournment to either party preferably within a period of three months from the next date fixed in the case, if there is no other legal impediment in this regard.

It is made clear that the Court has not examined the case of either party on merits and the Authority concerned shall be free to decide the matter strictly in accordance with law.

With the aforesaid, the petition is ***disposed of***.

Order Date :- 18.10.2023

Arun/-