

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5445 of 2023

Petitioner :- Om Prakash Verma And Another

Respondent :- State Of U.P. Thru. Addl. Chief Secy., Revenue, Pratapgarh And 4 Others

Counsel for Petitioner :- Rakesh Kumar Modanwal

Counsel for Respondent :- C.S.C., Pankaj Gupta

Hon'ble Saurabh Lavania, J.

Heard.

In view of order proposed to be passed, issuance of notice to the private-respondent(s) is hereby dispensed with.

Present petition has been filed for the following main relief:-

"Issue a suitable direction to opposite party no. 3/concern authority to consider and decide the restoration application no. R S T/34/2017 computerized case no. D 20170257034, Om Prakash Vs. Gram Sabha, under section 30 of U.P. Revenue code 2006 pending before opposite party no. 3 within stipulated period as directed by this Hon'ble Court in the interest of justice."

With regard to the main prayer sought, learned counsel for the petitioners submitted that the application for correction of map under Section 30 of the U.P. Revenue Code, 2006 was finally allowed vide order dated 22.03.2017 and thereafter, an application for recall of the order dated 22.03.2017 and to restore the case to its original number, was preferred which is pending as Case No.RST/34/2017, Computerized Case No.D20170257034 and on account of pendency of the same, the petitioners are suffering great hardship and mental agony.

Learned State counsel submits that he has no objection in case an expedite order is passed.

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.3-Chief Revenue Officer/Upper Collector, District-Pratapgarh to consider and decide the Case No.RST/34/2017, Computerized Case No.D20170257034, 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 possible and if there is no other legal impediment in this regard.

It is made clear that this 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 :- 19.10.2023/Vinay/-