

Court No. - 3

Case :- WRIT - C No. - 9623 of 2023

Petitioner :- Hidayat Ali

Respondent :- State Of U.P. Thru. Addl. Chief Secy.
Revenue Deptt. Civil Secrt. Lko. And Others

Counsel for Petitioner :- Ashok Kumar Mishra

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

Hon'ble Vivek Chaudhary, J.

Hon'ble Manish Kumar, J.

Petitioner has approached this Court challenging the order dated 04.01.2019, which is claimed to be an ex-parte order against the petitioner under Section 67 of the U.P. Revenue Code, 2006 and thereafter a notice dated 27.09.2023 issued to the petitioner in furtherance of the aforesaid order.

Learned counsel for the Gaon Sabha and learned Standing Counsel for the State state that there are alternative remedies to the petitioner. He may either file a recall application to the order dated 04.01.2019 or to file an appeal against the said order.

At this stage, learned counsel for the petitioner prays to withdraw the present writ petition with liberty to file a recall application.

In view of the aforesaid, it is provided that in case a recall application is filed by the petitioner within a period of fifteen days from today, the same shall be heard and decided by the Tehsildar/Assistant Collector concerned in accordance with law within a period of four weeks, thereafter, after hearing all the parties concerned. Petitioner may also, in case he so desire, file an application for stay, which shall also be considered expeditiously by the concerned.

With the aforesaid directions, writ petition is disposed of.

(Manish Kumar, J.) (Vivek Chaudhary, J.)

Order Date :- 2.11.2023

Nitesh