

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 5751 of 2023

Petitioner :- Bharat Singh

Respondent :- State Of U.P Thru. Secy. Revenue Deptt. Govt. Lko. And 2 Others

Counsel for Petitioner :- Nirmal Singh Yadav, Divya Yadav

Counsel for Respondent :- C.S.C.

Hon'ble Saurabh Lavania, J.

Heard.

In view of the order proposed to be passed by this Court, notice to the private-respondents is dispensed with.

The present petition has been filed for the following main relief:-

"a) To issue direction to the opposite party no.2 Nayab Tehsildar to decide Application for restoration RST/6363/2022, T202210430406363 without any unnecessary adjournment, delay on part of the opposite parties as well as petitioners and pass just and reasonable order."

Considering the facts of the case, which are to the effect that in relation to order dated 24.04.1989 passed in mutation case, on coming to know about the same, the petitioner preferred an application dated 12.01.2021 praying therein to restore the case to its original number and the same is pending consideration till date as also that mutation case being summary in nature, should be decided expeditiously, the present petition is disposed of with direction to respondent No.-2, to consider and decide the pending proceedings of RST/6363/2022, T202210430406363, most expeditiously, after affording full opportunity of hearing to the parties, but without granting any unnecessary adjournment, preferably within a period of three months from the next date fixed before it in the light of observations made by the Division Bench of this Court in the judgment passed in the case of ***Ram Prakash v. Deputy Director of Consolidation and Others reported in 2022 SCC OnLine All 107.***

It is made clear that the Court has not examined the case of either of the parties 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 :- 8.11.2023

Jyoti/-