

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 6112 of 2023

Petitioner :- Indra Vikram Singh

Respondent :- State Of U.P. Thru. Addl. Chief Secy./ Prin.Secy. Deptt. Of Revenue Lko And 17 Others

Counsel for Petitioner :- Saumya Singh, Kshitij Singh

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

Hon'ble Shree Prakash Singh, J.

At the very outset, learned counsel appearing for the petitioner submits that due to inadvertence, the opposite parties no. 7, 8 & 10 have wrongly been arrayed in the array of opposite parties. She submits that she may be permitted to delete the opposite parties no. 7, 8 & 10 from the array of opposite parties during the course of the day.

Learned Standing Counsel as well as learned counsel for the Gaon Sabha have no objection to the contention aforesaid.

In view of aforesaid submissions, learned counsel for the petitioner is permitted to delete the abovesaid during the course of the day.

Heard Ms. Saumya Singh, learned counsel for the petitioner, Sri Hemant Pandey, learned Standing Counsel for the State, Sri Vijay Kumar Yadav, Advocate, holding brief of Sri Mohan Singh, learned counsel for the Gaon Sabha.

The instant petition under Article 227 of the Constitution of India has been filed with the prayer to direct that the restoration application dated 29-11-2017 filed in Revision No. 46(2007-8) for restoration of the order dated 24-11-2017, pending before the Board of Revenue, U.P., Lucknow may be decided expeditiously, within time stipulated by this Hon'ble Court.

Learned counsel appearing for the petitioner submits that the restoration application dated 29-11-2017 is pending for restoration of the order dated 24-11-2017 before the Board of Revenue, U.P., Lucknow. She further added that in the aforesaid matter, an interim order was rendered

and therefore, the court concerned may be directed to consider the restoration application dated 29-11-2017.

Learned Standing Counsel as well as learned Counsel for the Gaon Sabha have no objection.

In view of the aforesaid submissions, the Board of Revenue, U.P., Lucknow is directed to consider and decide the restoration application dated 29-11-2017, if pending with it, in accordance with law, within a period of 30 days from the date a certified copy of this order is produced before it, after affording opportunity of hearing to all the parties concerned, if there is no legal impediment.

It is further directed that the Board of Revenue, U.P., Lucknow, shall also consider the application for restoration of the interim order, alongwith the restoration application dated 29-11-2017.

The petitioner is further permitted to move fresh application for interim relief, before the Board of Revenue concerned.

With the aforesaid observation, the instant petition stands **disposed of**.

Order Date :- 6.12.2023

AKS