

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 6129 of 2023

Petitioner :- Dayaram

Respondent :- State Of U.P. Thru. Prin. Secy. Revenue,,
Lucknow And Others

Counsel for Petitioner :- Rajesh Kumar, Shivam Pandey

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

Hon'ble Shree Prakash Singh, J.

1. Heard Sri Rajesh Kumar,, learned counsel for the the petitioner, Sri Hemant Pandey, learned standing counsel for the State and perused the record.

2. The instant petition has been filed with following reliefs:-

I. To issue an order or direction to the opposite party no. 2 i.e. Naib Tehsildar Baskhari, Tehsil Tanda, District - Ambedkar Nagar to decide the Restoration Application in Mutation Computerized Case No. T201704040302378, Kashiram and Others versus Gangadei, filed U/S 34, U. P. Revenue Code, 2006 with respect to the land in question i.e. 0.846 Hectare out of Gata No. 591/0.846 (situated in Village- Kewtala, Paragna - Bidahar, Tehsil - Tanda, District- Ambedkar Nagar), within stipulated time framed, in the interest of the Principles of Natural Justice.

II. Any other suitable order or direction which this Hon'ble court may deem just, fit and proper in the circumstances of the case may also be passed.

III. Award the cost of the petition.

3. The learned counsel appearing for the petitioner submits that the matter is pending consideration and the same has still not been decided. He added that the interest of justice would subserve if this Hon'ble Court would be pleased to direct the opposite party no. 2 to decide the Restoration Application in Mutation Computerized Case No. T201704040302378 within a stipulated period of time as may be fixed by this Court.

4. The learned Standing Counsel has no objection to the

contention aforesaid.

5. In view of the aforesaid innocuous prayer, the Naib Tehsildar Baskhari, Tehsil Tanda, District - Ambedkar Nagar is hereby directed to decide the Restoration Application in Mutation Computerized Case No. T201704040302378, Kashiram and Others versus Gangadei, filed U/S 34, U. P. Revenue Code, 2006 with respect to the land in question i.e. 0.846 Hectare out of Gata No. 591/0.846 (situated in Village- Kewtala, Paragna - Bidahar, Tehsil - Tanda, District- Ambedkar Nagar), within a period of two months, from the date of certified copy is produced before it, in accordance with law, after affording opportunity of hearing to all the parties, if there is no legal impediment.

6. The aforesaid order is subject to cooperation of the petitioner.

7. Accordingly, the instant petition is **disposed of**.

Order Date :- 7.12.2023

Mayank