

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 6273 of 2023

Petitioner :- Ashok Kumar And Another

Respondent :- In The Court Of Board Of Revenue, Thru. Member J., Lucknow And Others

Counsel for Petitioner :- Shobhit Nigam

Counsel for Respondent :- C.S.C.

Hon'ble Shree Prakash Singh,J.

Heard learned counsel for the petitioners, learned Standing Counsel for the State and perused the material placed on record.

The instant petition under Article 227 of the Constitution of India has been filed with the prayer to direct the opposite party no. 1 to decide the Restoration Application No. 1315 of 2021, pending in the court of Board of Revenue, Lucknow Uttar Pradesh within specified time fixed by this Hon'ble Court.

Learned counsel appearing for the petitioners submits that the matter pertains to the year 2021, but, even after passing of two years, the same has not been decided as yet.

After arguing at length, learned counsel appearing for the petitioners submits that interest of justice would be sub-served if this Hon'ble Court may be pleased to direct the opposite party no. 1 to decide the restoration application of the petitioner within the stipulated period of time as may be fixed by this court.

Learned State counsel appearing for the State has pointed out that so far as the restoration application is concerned, an application for condonation of delay is also pending alongwith the said application, but, he has no objection to the contention aforesaid.

Considering aforesaid innocuous prayer, the opposite party no. 1 is directed to consider and decide the Restoration Application No. 1315 of 2021, of the petitioner within a period of 30 days from the date a certified copy of this order is

produced before it, in accordance with law, after affording opportunity of hearing to all the parties concerned, if there is no legal impediment.

The aforesaid order is subject to cooperation of the petitioners.

It is further provided that the authority concerned shall not grant any unnecessary adjournment to either of the parties.

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

Order Date :- 19.12.2023

AKS