

Court No. - 18

Case :- MATTERS UNDER ARTICLE 227 No. - 6435 of 2023

Petitioner :- Jhaggar

Respondent :- State Of U.P. Thru. Prin. Secy. Deptt. Of Revenue Lko.
And Another

Counsel for Petitioner :- Onkar Pandey

Counsel for Respondent :- C.S.C.

Hon'ble Shree Prakash Singh,J.

Heard learned counsel for the petitioner, 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. 2 i.e. Consolidation Officer, Gauriganj, District-Amethi to decide the restoration application dated 13-09-2021, pending in case no. 724 under section 9-A(2) of U.P. Consolidation of Holding Act, which was filed by the petitioner against the order dated 26-05-2007 passed by the Consolidation Officer, Gauriganj, District-Amethi, expeditiously as early as possible.

Learned counsel appearing for the petitioner submits that the stay application of the petitioner is pending since 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 petitioner submits that interest of justice would be sub-served if this Hon'ble Court may be pleased to direct the opposite party no. 2 to decide the restoration application within the stipulated period of time as may be fixed by this court.

Learned State counsel has no objection.

Considering aforesaid innocuous prayer, the opposite party no. 2 is directed to decide the restoration application dated 13-09-2021, pending in Case No. 724, within a period of three months, 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 petitioner.

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 :- 22.12.2023

AKS