Court No. - 8

Case :- MATTERS UNDER ARTICLE 227 No. - 6054 of 2024

Petitioner :- Gulaba Devi
Respondent :- Consolidation Officer Sadar Ii, Pratapgarh And Another
Counsel for Petitioner :- Ram Singh
Counsel for Respondent :- C.S.C.

Hon'ble Jaspreet Singh,J.

Heard learned counsel for the petitioner. Notice on behalf of the respondent No.1 has been accepted by the office of the Chief Standing Counsel.

In view of the order proposed to be passed by this Court, notice to the private-respondent No.2 is dispensed with.

By means of the instant petition, the petitioner seeks expeditious disposal of her recall/restoration Application dated 17.02.2016 moved in Case No.297, under Section 109-A of the U.P. Consolidation and Holdings Act, 1953 pending before the respondent No.1.

It is submitted that though a large number of dates have been fixed, however, for the reasons beyond control, the recall has not yet been decided.

Learned standing counsel has drawn the attention of the Court to the extract of the order-sheet and has pointed out that in majority of the dates, the proceedings before the respondent No.1 could not advance on account of the resolution passed by the Members of the Bar abstaining from judicial work.

At this stage, learned counsel for the petitioner submits that the petitioner is ready to furnish an undertaking that the petitioner will not seek any unnecessary adjournment and shall also cooperate in the early disposal of the aforesaid case.

Considering the facts and circumstances, this Court is of the opinion that no gainful purpose will be served in keeping the aforesaid petition pending rather ends of justice can be served by directing the respondent No.1 to consider and decide the pending recall application dated 17.02.2016 most expeditiously, affording full opportunity of hearing to the parties, but without granting any unnecessary adjournment to either of the parties

preferably as expeditiously as possible.

The petitioner shall also furnish an undertaking, as mentioned above, along with a copy of this order. In case, if the petitioner does not furnish the aforesaid undertaking, then the petitioner shall not be entitled to the benefit of this order.

It is made clear that the Court has not examined the case of either of the parties on merits and the respondent No.1 shall decide the matter strictly in accordance with law.

With the aforesaid, the petition is **disposed of**.

Order Date :- 13.12.2024
Rakesh/-

Digitally signed by :-
RAKESH PRAJAPAT
High Court of Judicature at Allahabad,
Lucknow Bench