

Court No. - 51

Case :- WRIT - C No. - 5385 of 2023

Petitioner :- Har Kishor

Respondent :- State Of U.P. And 31 Others

Counsel for Petitioner :- Rajendra Kumar Yadav

Counsel for Respondent :- C.S.C., Arun Kumar Pandey

Hon'ble Chandra Kumar Rai, J.

1. Heard Mr. Rajendra Kumar Yadav, learned counsel for the petitioner, Mr. R. C. Srivastava, learned Additional Chief Standing Counsel for the State-respondents and Mr. Arun Kumar Pandey, learned counsel for respondent No.6/Land Management Committee.

2. On 10.08.2023 following order was passed by this Court:

"1. An objection to the instruction has been submitted by counsel for the petitioner, which is taken on record.

2. Counsel for the petitioner submitted that in pursuance of the order dated 31.08.2009 passed in the proceeding under Section 198 (4) of U.P. Z.A. & L. R. Act, entry of plot in dispute has not been corrected till date. He further placed copy of the current khatauni of 1425 to 1430 fasli (01.07.2021 to 30.06.2023), in which the names of the private respondents who were earlier allotted the plot in dispute are recorded. He further submitted that in the instruction it is mentioned that order has been given effect on the spot. He further submitted that the entry has not been corrected till date, as such fact mentioned in the instruction is not correct.

3. Mr. Shridhar Tripathi, learned Standing Counsel is directed to obtain further instruction in the matter within two weeks as to why the entry has not been corrected in respect to the plot in dispute in spite of the order passed on 31.08.2009 under Section 198 (4) of U.P.Z.A. & L.R. Act.

4. Put up this matter as fresh on 30th August, 2023."

3. In compliance of the order dated 10.08.2023, instruction dated 11.10.2023 has been placed before the Court, along with copy of the khatauni of 1425-1430 fasli (01.07.2017 to 30.06.2023) containing the implementation of the order dated 24.03.2023 in the remark column, which has been taken on record.

4. Counsel for the petitioner submitted that implementation of the order dated 31.08.2023 has been made in the khatauni.

5. Considering the fact and circumstances of the case, no cause of action survives in the matter, writ petition is disposed of accordingly.

Order Date :- 12.10.2023

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