

Court No. - 4

Case :- WRIT - C No. - 35942 of 2013

Petitioner :- Smt. Urmila Devi

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Ajay Bhanot, Shiv Kumar Singh

Counsel for Respondent :- C. S. C., A. Kumar Singh

Hon'ble Prakash Padia, J.

Civil Misc. Compromise Application No.5 of 2023:-

1. This application has been filed on behalf of respondent no.5 stating therein that due to clerical error both the plots namely plot no. 1766 and 1767/2716 were wrongly changed in the revenue map.

2. Aggrieved against the aforesaid, Natthu filed a Case No. 134 under Section 28 U.P.L.R. Act, in the court of Additional Collector, Etah which was allowed vide order dated 24.10.1985 correctly showing plot no. 1766 in place of plot no. 1767/2716. It is further stated that petitioner Smt. Urmila Devi is legal allottee of a residential plot no. 1766 measuring 003/0.012 hectare situated at village Majhola, Tehsil Patiyali, District- Kasganj, under the scheme of family planning, allotted by Sub Divisional Officer, Patiyali, District Etah now Kasganj on 26.02.1988. She had constructed house thereupon.

3. It is further stated that respondent no.5 and petitioner are neighbours and after settling the dispute they are living happily having friendly relation and there is no dispute of civil or criminal nature.

4. In this view of the matter, a prayer has been made to allow the petition filed by the petitioner.

Order on Writ Petition:-

1. The present writ petition has been filed inter alia with the prayer to set aside the order dated 20.03.2023 passed by Additional Commissioner (Administration), Aligarh in Revision No. 392 of 2023 (Smt. Urmila Devi vs. State and others) as well as impugned order dated 17.01.2013 passed by Additional Collector

(Administration) Etah in Case No. 52 of 2008 (Rajesh Kumar Singh vs. Smt. Urmila Devi and others).

2. An interim protection was granted by this Court vide order dated 05.07.2013 which is continue even today.

3. During the pendency of the present petition, the compromise affidavit has been filed in which a prayer has been made to allow the present writ petition and quash the proceedings.

4. Learned counsel for the respondent has no objection, if the petition is allowed and order be quashed.

5. Heard Shri Shiv Kumar Singh, learned counsel for the petitioners and learned Standing Counsel appearing on behalf of respondent nos. 1 to 4 as well as Shri A. Kumar Singh, learned counsel appearing on behalf of respondent no.5.

6. In this view of the matter and in view of the compromise, the order dated 20.03.2023 passed by Additional Commissioner (Administration), Aligarh in Revision No. 392 of 2023 (Smt. Urmila Devi vs. State and others) as well as impugned order dated 17.01.2013 passed by Additional Collector (Administration) Etah in Case No. 52 of 2008 (Rajesh Kumar Singh vs. Smt. Urmila Devi and others) are hereby quashed.

7. The writ petition is allowed in terms of the aforesaid compromise.

Order Date :- 31.10.2023

Swati