

Court No. - 51

Case :- WRIT - C No. - 14533 of 2023

Petitioner :- Krishna Dev Narayan

Respondent :- State Of U.P. And 6 Others

Counsel for Petitioner :- Prashant Vardhan, Sharad Kumar

Counsel for Respondent :- CSC

Hon'ble Chandra Kumar Rai, J.

1. On 4.10.2023, following order was passed by this Court:-

"1. On 18.9.2023, two weeks and no more time was granted to learned Standing Counsel to obtain further instruction in the matter in compliance of the order of this Court dated 24.8.2023.

2. Mr. R.C. Srivastava, learned Additional Chief Standing Counsel submitted that no instruction has been received by State in pursuance of the order of this Court.

3. Respondent no.4 i.e. Tahsildar, Mohamdabad, Ghazipur is directed to file personal affidavit stating as to why the further instruction has not been sent to this Court in spite of no more opportunity granted by this Court on 18.9.2023.

4. Put up this case as fresh on 17.10.2023.

5. Registrar Compliance is directed to communicate this order for necessary compliance to respondent no.4 i.e. Tahsildar, Mohamdabad, Ghazipur within three days."

2. In compliance of the order dated 4.10.2023, personal affidavit of Tehsildar has been filed which is taken on record.

3. Learned Standing Counsel for the State-respondents on the basis of personal affidavit of Tehsildar submitted that encroachment over the plot in dispute has been removed and spot memo has been accordingly prepared. He further submitted that copy of the spot memo along with the photographs has been annexed along with the personal affidavit dated 16.10.2023.

4. Counsel for the petitioner is not disputing the facts mentioned in the personal affidavit of the Tehsildar dated 16.10.2023.

5. In view of the removal of encroachment from the plot in dispute, no further cause of action survives in the matter. Writ petition is accordingly **disposed of.**

Order Date :- 17.10.2023/ Vandana Y.