

Court No. - 51

Case :- WRIT - C No. - 15369 of 2023

Petitioner :- Kishor

Respondent :- Additional Commissioner Gorakhpur And 4 Others

Counsel for Petitioner :- Arun Kumar Verma

Counsel for Respondent :- C.S.C.,Sudhir Bharti

Hon'ble Chandra Kumar Rai,J.

1. Heard Sri Arun Kumar Verma, learned counsel for the petitioner, Sri O.P. Shrama, learned Addl. C.S.C. for the state-respondents and Sri Sudhir Bharti, learned counsel for the respondent-gaon sabha.

2. On 17.8.2023, following order was passed by this Court:-

"1.In compliance of the earlier order of this Court dated 29.05.2023, instruction dated 07.07.2023 has been placed before the Court, which is taken on record.

2.In the instruction, it is mentioned that due to violation of Rule 57 (3) and 57 (9) of U.P. Revenue Code Rules, 2016 the proceeding for auction has been cancelled.

3. Counsel for the petitioner submitted that there is no violation of the condition mentioned in the instruction.

4. In view of the arguments advanced by the counsel for the parties and facts mentioned in the instruction, counsel for the petitioner is granted two weeks' time to file reply to the instruction dated 07.07.2023.

5. Put up this matter as fresh on 11th September, 2023."

3. Mr. Arun Kumar Verma, learned counsel appearing for the petitioner submitted that in view of the facts mentioned in the instruction dated 7.7.2023, the relief prayed in the writ petition has been granted to the petitioner, as such, no further cause of action survives in the matter.

4. In view of aforementioned facts and circumstances, no further order is required in the matter. The instant writ petition stands disposed of directing the respondent no.2/Sub Divisional Officer, Bansgaon, Gorakhpur to return Rs.80,000/- towards auction bid belonging to petitioner within a period of 4 weeks from the date of presentation of the certified copy of this order before respondent no.2.

Order Date :- 16.10.2023
C.Prakash