

Court No. - 1

Case :- MATTERS UNDER ARTICLE 227 No. - 6977 of 2023

Petitioner :- Mohd. Shahid

Respondent :- Masood Kishiriya And 13 Others

Counsel for Petitioner :- Pramod Kumar Srivastava, Manav Chaurasia, Prem Pushp Chaurasia

Hon'ble Jayant Banerji, J.

Heard learned counsel for the petitioner.

This petition has been filed seeking a direction to the Civil Judge (Junior Division) West Allahabad to decide the application 6C dated 16.9.2021 filed by the plaintiff-petitioner in Original Suit No. 740 of 2021 (Mohd. Shahid Vs. Masood Kishiriya and others).

It appears that an original suit was filed seeking declaration of a sale deed dated 30.12.2009 that was registered on 17.2.2021, as void. The suit property is admittedly an agricultural plot. A perusal of the plaint itself reveals that the original owners of the agricultural plot had migrated to Pakistan in the year 1950-1951 and it has been stated that the entire land would vest with the Government of India. A perusal of the array of the parties in the suit itself reveals that neither the State Government nor Government of India have been made party.

Under the circumstances, interference is declined and this petition is, therefore, **dismissed**.

Order Date :- 12.10.2023

A. V. Singh

(Jayant Banerji, J.)