

Court No. - 52

Case :- WRIT - C No. - 25128 of 2022

Petitioner :- Mahfooz Ahmad

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

Counsel for Petitioner :- Manoj Kumar Singh

Counsel for Respondent :- CSC, Bhupendra Kumar Tripathi

Hon'ble Saurabh Srivastava, J.

Heard Shri Manoj Kumar Singh, learned counsel for the petitioner and Shri Prabhakar Tripathi for respondent nos. 1 to 4.

The case of the petitioner is that old plot no.336, 337, 338, 400 and 401 has been re-numbered and new number has been allotted as plot no. 357/1927 and the same was abadi and was appurtenant of the house of abadi and 'Sahan' of the family of the petitioner but the same has been entered as Navin parti in the revenue records, whereas during consolidation the old plot numbers have been reserved for abadi itself vide order dated 16.10.2002 passed by Consolidation Officer.

Certain trees were standing over the old plot no.357/1927 situated at Village Gangapur Dehri, Tehsil Kerakat District Jaunpur and by taking advantage of the entries available in the revenue record the concerned Gram Pradhan taken over the possession of the trees after reserving the same plot number for play ground. The action of the Gram Pradhan has been challenged through the instant writ petition whereupon the notices have been issued and the detailed counter affidavit has been preferred on behalf of respondent nos. 2,3 and 4 wherein it has been apprised that trees situated in arazi had been cut down by the Village Pradhan, Dehri regarding which the Forest Department after making inquiry has imposed penalty of Rs.10,000/- for cutting the trees without prior permission and subsequent to that one Santosh Kumar, son of Birtu, resident of Dehri, Police Station Kerakat, Jaunpur vide Book No.6631, Sl. No. 663885, dated 5.8.2022 has

deposited the same in the Social Forestry, Jaunpur.

So far as regarding the correction of records, the petitioner is at liberty to avail the remedy available under law before the appropriate authority, inspite of specific orders no counter affidavit has been preferred by the Gaon Sabha which clearly indicates that the proposal whatsoever has been made with regard to play ground initiated by respondent no.5 is no more in existence.

Writ petition stands **disposed of** accordingly.

Order Date :- 21.11.2023

Rakesh