

Court No. - 51

Case :- WRIT - C No. - 24698 of 2023

Petitioner :- Shiv Shankar And 3 Others

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

Counsel for Petitioner :- Manoj Pathak, Gulab Chandra Tiwari

Counsel for Respondent :- C.S.C., Bhupendra Kumar Tripathi

Hon'ble Chandra Kumar Rai, J.

1. Heard learned counsel for the petitioners, Mr. Mridul Kumar, learned standing counsel for the state and Mr. Bhupendra Kumar Tripathi, learned counsel for the respondent-gaon sabha.

2. On 22.9.2023, following order was passed by this Court:-

"1. Counsel for the petitioners submitted that proceeding under Section 24 of the U.P. Revenue Code, 2006 has been decided in favour of the petitioners but pillars/ stone has not been fixed in pursuance of the order dated 2.8.2022.

2. Learned Standing Counsel for the State-respondents and Counsel for the Gaon Sabha are directed to obtain instruction in the matter within two weeks.

3. Put up this matter as fresh on 12.10.2023."

3. In compliance of the order of this Court dated 22.9.2023, instruction dated 9.10.2023 has been placed before the Court by Sri Mridul Kumar, learned standing counsel which is taken on record.

4. Sri Mridul Kumar, on the basis of instruction, submitted that in compliance of the order passed under Section 24 of the U.P. Revenue Code, 2006, the revenue authorities have implemented the order on spot by fixing pillar on spot. He further placed the copy of the spot memo along with the photograph prepared on spot in order to demonstrate that pillar fixation has taken place on spot in the presence of the petitioners.

5. Sri Mridul Kumar shall serve a copy of the instruction upon the counsel for the petitioners during the course of the day.

6. In view of the averments made in the instruction, no further cause of action survives in the matter.

7. The writ petition stands disposed of.

Order Date :- 19.10.2023/C.Prakash