

Court No. - 49

Case :- WRIT - C No. - 25490 of 2023

Petitioner :- Veditram Tyagi

Respondent :- State Of U.P. And 7 Others

Counsel for Petitioner :- Pradeep Kumar Rai, Prajyot Rai

Counsel for Respondent :- CSC, Raj Kumar Dhama, Sunil Kumar Singh

Hon'ble Syed Qamar Hasan Rizvi, J.

1. Vakalatnama filed by Sri Raj Kumar Dhama, Advocate on behalf of Satya Prakash (respondent no.7) and Madan Lal (respondent no.8) is taken on record.
2. Heard Sri Pradeep Kumar Rai, learned counsel for the petitioner; Sri Raj Kumar Dhama, learned counsel for the private respondents and Sri Jitendra Narain Rai, learned Additional Chief Standing Counsel for the State-respondents no.1 to 4.
3. In pursuance of the order dated 15.09.2023, learned counsel for the private respondents have filed a short counter affidavit which is taken on record.
4. Learned Additional Chief Standing Counsel for the State submits that he has received instructions from the Sub Divisional Officer, Khekhada, Baghpat (respondent no.3).
5. The instructions as provided by the learned Additional Chief Standing Counsel is taken on record.
6. On the basis of the said instructions, he submits that after the notification under Section 52 of the Consolidation of Holdings Act, the consolidation operation in respect of the Village Singauli Taga has come to an end and as such the existence of Sectors have lost their significance and as such it is not possible to carry out measurement in respect of Sector 7 as was directed earlier vide order dated 09.08.2023. He further submits that now after the publication of notification under Section 52 of the Consolidation of Holdings Act, the only recourse for measurement of the plots in question is available under the provision of Section 24 of U.P. Revenue Code, 2006.

7. Considering the aforesaid facts and circumstances of the case, without adverting on the merits of the case and with the consent of the parties, the present writ petition is finally **disposed of** with the liberty to the private respondents namely Bal Kishan (respondent no.6), Satya Prakash (respondent no.7) and Madan Lal (respondent no.8) to move appropriate application under Section 24 of the U.P. Revenue Code, 2006 for measurement of the plots in question.

8. In case such an application under Section 24 of U.P. Revenue Code, 2006, is moved by the private respondents within a period of two weeks from today, the authority concerned is directed to consider and pass appropriate orders on the same, strictly in accordance with law, within a period of three months from the date of filing of the said application along with certified copy of this order.

Order Date :- 12.10.2023

Abhishek Gupta