

Court No. - 49

Case :- WRIT - C No. - 26724 of 2023

Petitioner :- Shiv Bachan Singh

Respondent :- State of U.P. And 10 Others

Counsel for Petitioner :- Raghvendra Shankar Srivastava

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

Hon'ble Syed Qamar Hasan Rizvi, J.

1. Heard Sri Raghvendra Shankar Srivastava, learned counsel for the petitioner, Sri Pankaj Kumar, learned standing counsel for the State-respondent nos. 1 to 3 and Sri Kamlesh Kumar Sharma, Advocate holding brief of Sri Bhupendra Kumar Tripathi, learned counsel appearing on behalf of the respondent no. 4 / Gaon Sabha.

2. The present writ petition has been filed praying for the following relief:

"(a) Issue a writ order or direction in the nature of mandamus commanding the respondents to maintain the status quo over the land in dispute and also kindly be directed to the respondents not to interfere in the peaceful possession of the petitioner over the land in dispute during the pendency of the above noted appeal 1999/2022 (Shiv Bachan Singh Vs. Kamla) under Section 207 of U.P. Revenue Code, 2006.

(b) Issue such other further writ order or direction which this Hon'ble Court may deem fit and proper in the nature and circumstances of the present case.

(c) Award the cost of this petition to the petitioners."

3. This Court vide order dated 10.8.2023 granted time to the learned standing counsel to seek instructions in the matter.

4. Sri Pankaj Kumar, learned standing counsel submits that he has received instructions dated 23.8.2023 from the Additional Commissioner (Judicial), IInd, Varanasi Division, Varanasi. On the basis of aforesaid written instruction received by the learned standing counsel, he submits that the Additional Commissioner (Judicial), IInd, Varanasi Division, Varanasi has finally disposed of the said application and passed the order of status quo, with a direction that the parties shall not change the nature of the property in dispute until further orders.

5. In view of the statement made by learned standing counsel for the State, the grievance of the petitioner as raised in the present writ petition has been ventilated and accordingly nothing survives for further adjudication in the matter. The writ petition has lost its efficacy and is accordingly dismissed as infructuous.

Order Date :- 16.10.2023

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