

Court No. - 52

Case :- WRIT - C No. - 27945 of 2023

Petitioner :- Sanjay Kumar

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Ashutosh Upadhyay, Neeraj Kumar Singh

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

Hon'ble Saurabh Srivastava, J.

1. Heard Sri Ashutosh Upadhyay, learned counsel for the petitioner and Sri Ajay Kumar Baranwal, learned Standing counsel appearing on behalf of respondent nos. 1 to 3 as well as Sri Bhupendra Kumar Tripathi, learned counsel for respondent no. 4.

2. Present petition has been filed for seeking quashing of the notice dated 10.03.2023 issued by respondent no.3 and further a direction be issued in favour of the respondents not to interfere in peaceful possession of the petitioner over khasra no.1138M/1.

3. Today when the matter has been taken up, learned Standing Counsel came up with the specific instructions which is taken on record through which it has been transpired that after demarcation of Arazi No.1138, it has been found that the petitioner has illegally encroached over the same and in pursuance thereof, notice dated 10.03.2023 issued against the petitioner and case was also registered bearing Case No.T202314360100995 under Section 67 of U.P. Revenue Code, 2006 which is still pending to be decided.

4. In view thereof, there is hardly any cause of action arises in favour of the petitioner to pursue the instant petition, however, if the petitioner is aggrieved by any action of the respondents, he still has every opportunity of canvassing his claim both on facts and on law before the authority concerned.

5. Accordingly, the present petition stands **disposed of**.

Order Date :- 1.11.2023

Vivek Kr.