

Court No. - 40

Case :- WRIT - C No. - 28250 of 2023

Petitioner :- Ramchandra

Respondent :- State Of U.P. And 9 Others

Counsel for Petitioner :- Satish Kumar Mishra

Counsel for Respondent :- C.S.C.

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Prashant Kumar,J.

1. Heard Sri Satish Kumar Mishra, learned counsel for the petitioner and Sri Devesh Vikram, learned Additional Chief Standing Counsel for the State-respondents.

2. The present writ petition has been preferred alleging therein that the local police officers are interfering in the construction of petitioner's home, which has been duly allotted by the State Government in favour of the petitioner.

3. The Division Bench of this Court vide order dated 22.8.2023 has asked the learned Additional Chief Standing Counsel to obtain written instructions as to correct facts regarding the land over which the petitioner is seeking to raise construction and also what interest or objections the State respondents have for restraining such construction.

4. In response to the aforesaid order, learned Additional Chief Standing Counsel has placed instructions dated 14.10.2023 sent by In-Charge, Inspector, P.S.Chopan, District-Sonebhadra, wherein, it has been averred that the entire allegation is incorrect and there is no police intervention over the disputed site. The said instruction is taken on record.

5. Considering the facts and circumstances of the case and in view of the categorical instructions, we are not inclined to proceed further in the matter. However, the petitioner will be at liberty to press the relief before the concerned Sub Divisional Magistrate.

6. With the aforesaid leave, the writ petition stands **disposed of**.

Order Date :- 3.11.2023

Manish Himwan