

**Court No. - 52**

**Case :-** WRIT - C No. - 29349 of 2022

**Petitioner :-** Suresh

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

**Counsel for Petitioner :-** Surendra Yadav

**Counsel for Respondent :-** C.S.C.,Pradeep Singh

**Hon'ble Saurabh Srivastava,J.**

1. Heard Shri Surendra Yadav, learned counsel for the petitioner and Shri Dinesh Kumar Tiwari, learned Standing Counsel appearing on behalf of respondent nos. 1, 2 and 3.

2. Learned counsel for the petitioner informed that connected Writ C No. 6658 of 2022 has already been decided through which proceedings initiated by respondent no. 3 under Section 67 and consideration of the appeal under Section 67 (5) of U.P. Revenue Code, 2006 by the respondent no. 2 has been set aside by way of elaborating detailed procedure defined by Co-ordinate Bench of this Court.

3. Shri Surendra Yadav, learned counsel for the petitioner submitted that the similar set of grounds has been taken up by the petitioner on which the Writ C No. 6658 of 2022 has already been adjudicated and decided in favour of petitioner by the co-ordinate Bench of this Court.

4. Learned Standing Counsel vehemently opposed the prayer as made in the petition, but showed his agreement to the extent that Writ C No. 6658 of 2022 has already been adjudicated and decided by co-ordinate Bench of this Court in favour of the petitioner.

5. Learned counsel for the petitioner apprised the judgment passed in Writ C No. 6658 of 2022 which is a reported judgment, wherein the entire procedure defined under Section 67 of U.P. Revenue Code, 2006 have been elaborately discussed and defined and the revenue authorities are directed to perform accordingly.

6. By bare perusal of the order sheet, the instant writ order dated 20.10.2022 clearly shows that the controversy involved in the instant petition is similar to the Writ C No. 6658 of 2022.

7. The present writ petition is ***allowed*** in terms of the judgment and order dated 02.12.2022 passed in Writ C No. 6658 of 2022.

**Order Date :-** 29.11.2023/Vipasha