

Court No. - 52

Case :- WRIT - C No. - 34888 of 2023

Petitioner :- Smt. Prem Kumari

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

Counsel for Petitioner :- Vikas Mani Srivastava

Counsel for Respondent :- C.S.C.

Hon'ble Saurabh Srivastava,J.

1. Heard Sri Vikas Mani Srivastava, learned counsel for petitioner and Sri Prabhakar Tripathi, learned Standing Counsel.

2. The present petition has been filed for seeking quashing of the impugned order/letter dated 05.08.2023 issued by respondent no.2 and further not to change the nature of plat no.272M area 0.196 hectare, situated at Village Kadsara, Tehsil Budhanpur, District Azamgarh till the determination of right, title and interest of the petitioner.

3. Learned counsel for the petitioner placed reliance upon a judgment passed by a Coordinate Bench of this Court in **Smt. Lalti Devi and others Vs. The District Magistrate and others (Civil Misc. Writ Petition No.46908 of 2004, decided on 08.11.2004)** but fairly admitted that the same has never been apprised before the respondent no.2 and as such, it is admitted fact that the remedy available before the petitioner to object the fresh proceedings initiated by respondent no.4 which is not maintainable as per learned counsel for petitioner.

4. Remedy lies before the respondent no.2 itself and as such, learned counsel for petitioner prayed the present petition may be dismissed as withdrawn in light of the judgment passed in **Smt. Lalti Devi (supra)**.

5. Accordingly, the present petition stands **dismissed as withdrawn** with liberty to the petitioner to approach appropriate forum law as available to her as per law.

Order Date :- 18.10.2023

Vivek Kr.