

**Court No. - 52**

**Case :-** WRIT - C No. - 30172 of 2023

**Petitioner :-** Shankar Vishwakarma

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

**Counsel for Petitioner :-** Raj Kumar Pandey, Ram Kumar Pal

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

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

1. Heard Sri Raj Kumar Pandey, learned counsel for petitioner and Sri Dhanajai Singh, learned Standing counsel for State respondents.

2. The reliance has been made over the order dated 27.09.2008 which has never been complied with by the respondent no. 3 and without complying the order dated 27.09.2008, respondent no. 3 adjudicated in pursuance to the direction issued by the co-ordinate Bench of this Court in Writ Petition no. 7890 of 2023 that plot no. 317 pertains to the petitioner is nowhere affected which is measuring area 0.817 hectare.

3. Learned counsel for the petitioner again submitted that without compliance of the order dated 27.09.2008, the same cannot be determined that the plot no. 317 of the petitioner is not affected.

4. Respondent no. 3 (Sub Divisional Officer, Jakhaniya, District Ghazipur) is hereby directed to comply the order dated 27.09.2008 by way of conducting proper demarcation of plot no. 317 pertains to the petitioner along with its area mentioned in the revenue records and thereafter a fresh determination has to be issued whether the chak marg is affecting the area of plot no. 317 or not? The above mentioned exercise shall be carried out within a period of three months from the date of production of certified copy of this order.

5. Writ petition stands ***disposed of*** accordingly.

**Order Date :-** 16.10.2023

Shaswat