

Court No. - 47

Case :- WRIT - C No. - 31083 of 2023

Petitioner :- Ram Chandar Yadav And 3 Others

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

Counsel for Petitioner :- Udai Shankar Chauhan

Counsel for Respondent :- CSC, Bhupendra Kumar Tripathi

Hon'ble Manish Kumar Nigam, J.

1. Heard learned Counsel for the parties and perused the record.

2. This writ petition has been filed for the following relief:

"i. Issue a writ, order or direction in the nature of Mandamus directing the respondents to not install water tank upon petitioner's Bhoomidhari Land bearing Plot No.752Ga area 0.761 hectare and Plot No.752 Gha area 0761 hectare situated in Mauza Gopalpur, Pargana-Pachotar, Tehsil-Sadar, District-Ghazipur.

ii. Issue a writ, order or direction in the nature of Mandamus directing the respondents to not interfere in the peaceful possession of the petitioners over aforesaid Bhoomidhari land."

3. By the order dated 31.10.2013, instructions were called. Today, learned Standing Counsel has produced the instructions before the Court, which are taken on record.

4. Learned Standing Counsel submitted that the petitioners are in possession over their land and the water tank is not being constructed over the bhomidhari land of the petitioner.

5. Per contra, learned Counsel for the petitioners submitted that there has not been any demarcation of the land of the petitioners and the proceedings under Section 24 of the U.P. Revenue Code, 2006 are pending. The petitioners have referred a report submitted by Revenue Inspector in the aforesaid case, which is at page No.19 of the paper book.

6. No useful purpose would be served in keeping this petition pending.

7. Considering the facts and circumstances of the case, without expressing any opinion on the merits of the case, the present petition stands **disposed of** finally with a direction to the respondents to conclude the proceedings of Section 24 of the U.P. Revenue Code, 2006 with law within a period of one month from the date of production of certified copy of this order after giving opportunity of hearing to the parties concerned and without granting unnecessary adjournments to either of the

parties provided that there is no other legal impediment.

8. Till finalization of the proceedings under Section 24 of the U.P. Revenue Code, 2006, parties are directed to maintain status quo.

Order Date :- 20.11.2023

S. Singh