

Court No. - 47

Case :- WRIT - C No. - 37315 of 2023

Petitioner :- Gulab Chandra

Respondent :- State Of U.P. And 11 Others

Counsel for Petitioner :- Amar Singh Yadav

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

Hon'ble Manish Kumar Nigam, J.

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

2. The writ petition has been filed for the following reliefs:-

"(i) issue a writ, order or direction in the nature of certiorari quashing the entire proceeding of Case No. 05955 of 2020 (computerize Case No. T202014360105955) Lallan and others Vs. Vanshraj and others) under Section 24 of U.P. Revenue Code 2006 pending before the respondent No. 2 in pursuance of stay order dated 02.04.2003 passed by civil Judge (J.D.) Shahganj, District- Jaunpur in Original Suit No. 260 of 2003 (Ram Khelawan Vs. Bhagauti) as well as stay order dated 27.09.2004 passed by Civil Judge J.D./F.T.C. Jaunpur In Case No. 933 of 2004 (Bhagauti Vs. Gulabchand).

(ii) issue a writ, order or direction in the nature of mandamus directing the respondents to maintain the status quo over the property as Arazi No. 809 Area .207 hectare situated in Village- Jarro, Pargana- Anguli, Tehsil- Shahganj, District- Jaunpur."

3. Contention of learned counsel for the petitioner is that proceedings of Case No. 05955 of 2020 (computerize Case No. T202014360105955) (Lallan and others Vs. Vanshraj and others) under Section 24 of U.P. Revenue Code 2006 be quashed because of the pendency of the civil suit in which an interim stay has been granted to the petitioner.

4. Learned Standing Counsel has raised preliminary objection that the proceedings under Section 24 of U.P. Revenue Code, 2006 are pending and the petitioner may file an objection to the aforesaid proceedings and as such writ petition may not be entertained at this stage.

5. In view of the above, I am not inclined to interfere in the matter.

6. Accordingly, the petition is disposed of with liberty to the petitioners to file objection in the proceedings under Section 24 of the U.P. Revenue Code, 2006. In case such an objection is filed, the same may be decided in accordance with law.

Order Date :- 30.10.2023

Nitika Sri.

(Manish Kumar Nigam,J.)