

Court No. - 47

Case :- WRIT - C No. - 31181 of 2023

Petitioner :- Kedar

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Shravan Kumari, Adya Prasad Tewari

Counsel for Respondent :- C.S.C., Sudhir Bharti

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 following relief:

"(i) issue a writ, order or direction in the nature of mandamus commanding the Sub Divisional Magistrate, Tehsil: Sadar, District: Kushinagar to process and decide application dated 02.11.2022 moved by the petitioner u/s 11 U.P. Revenue Code, 2006 by passing reasoned speaking order keeping in view of provisions contained under Rule 102(4) of Revenue Code Rules 2016 and till the final outcome of the aforesaid application, the home existing over plot no. 312m to the extent of Area 0.006 may not be demolished."

3. By order dated 20.09.2023, instructions were called by this Court. Today the instructions have been produced by learned Standing Counsel and the same are taken on record. Sri Yogeshwar Singh, Sub Divisional Magistrate, Tehsil Kasiya, District Kushinagar is also present before this Court and his presence is dispensed with.

4. It has been informed by the learned Standing Counsel that the proceeding under Section 101 of U.P. Revenue Code, 2006 initiated by the petitioner has been concluded after providing opportunity to the petitioner.

5. In view of the above, no further orders are required to be pass in this writ petition.

6. Learned Standing Counsel is directed to serve the copy of the order to the counsel appearing for the petitioner who is given liberty to challenge the same in accordance with law.

7. With the aforesaid observation, the writ petition is disposed of.

Order Date :- 27.10.2023

Ved Prakash

(Manish Kumar Nigam, J.)