

Court No. - 21

Case :- WRIT - C No. - 35816 of 2023

Petitioner :- Veer Singh And 11 Others

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Daya Shanker Pandey

Counsel for Respondent :- C.S.C.,Sunil Kumar Singh

Hon'ble Manoj Kumar Gupta,J.

Hon'ble Donadi Ramesh,J.

1. Heard learned counsel for the petitioners, learned standing counsel for the State-respondents and Shri Sunil Kumar Singh, learned counsel appearing on behalf of respondent No. 5.
2. The petitioners have challenged the recovery notice dated 14.07.2023 issued by respondent No. 3 for recovery of the compensation amount paid to them. The recovery is being made on the ground that patta of the acquired land was cancelled in proceedings under Section 198(4) of U.P.Z.A. & L.R. Act by order dated 29.09.2022 and the land has been declared as Gaon Sabha land.
3. Counsel for the petitioners admits that the petitioners have filed a revision challenging the order cancelling the patta and it is pending before the Board of Revenue. The petitioners have also applied for stay in the revision but which has not been granted so far.
4. Having regard to the aforesaid admitted factual position, we are not inclined to grant any stay in exercise of writ jurisdiction but leave it open to the petitioners to press their stay application pending before the Board of Revenue. In case petitioners file any application before the Board of Revenue for early hearing of stay application, the Board of Revenue shall decide the stay application within next three weeks.
5. The petition stands disposed of.

Order Date :- 2.11.2023

Mukesh Kr.

(Donadi Ramesh,J.) (Manoj Kumar Gupta,J.)