

Court No. - 47

Case :- WRIT - C No. - 33850 of 2023

Petitioner :- Vimala Devi

Respondent :- State Of U.P. And 13 Others

Counsel for Petitioner :- Brijesh Chandra Naik

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

Hon'ble Manish Kumar Nigam,J.

1. Supplementary affidavit filed today is taken on record.
2. Heard learned counsel for the parties and perused the record.
3. This writ petition has been for following prayer:

"1. A writ, order or direction in the nature of mandamus commanding the Sub Divisional Magistrate, Rajatalab, Varanasi to complete the demarcation proceedings started from 9.7.2023 of plots in question in accordance with law after giving notice to the parties and do the same in their presence, within three weeks.

2. A writ, order or direction in the nature of mandamus commanding the District Magistrate, Varanasi to take necessary action against the Revenue Team who have rooted up and destroyed the pillars fixed by the petitioner on the boundary line of her plot no. 554 Ka and 554 Kha which had already been demarcated by the Revenue Team on 3.3.2023, and direct the Revenue Team to pay Rs. 56,000/- to the petitioner towards cost of Pillars which they have damaged.

3. A writ, order or direction in the nature of mandamus commanding the District Magistrate, Varanasi to decide the representation of the petitioner dated 14.08.2023 as expeditiously as possible within three weeks."

4. Contention of the learned counsel for the petitioner is that demarcation proceedings are pending since 09.07.2023 which are not being concluded.

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

6. 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 respondent

No. 2 /Sub Divisional Magistrate, Rajatalab, Varanasi to conclude the demarcation proceedings which has commenced on 09.07.2023 expeditiously, in accordance with law, expeditiously, preferably within a period of **three months** from the date of production of a 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.

Order Date :- 2.11.2023
Ved Prakash

(Manish Kumar Nigam, J.)