

Court No. - 39

Case :- WRIT - C No. - 34481 of 2023

Petitioner :- Smt. Usha Devi And Another

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

Counsel for Petitioner :- Ramashery Yadav, Mithilesh Kumar
Srivastava

Counsel for Respondent :- C.S.C.

Hon'ble Saumitra Dayal Singh, J.

Hon'ble Syed Qamar Hasan Rizvi, J.

1. Pursuant to the last order, learned Standing Counsel has produced the written instructions received by him. Copy of the same has been marked as 'X' and retained on record.

2. Present petition has been filed seeking protection of possession of the petitioners (who are senior citizens), over an immovable property.

3. According to written instructions received by Shri Mukul Tripathi, learned Standing Counsel, it transpires that the petitioners have filed their affidavit dated 13.02.2023 before the District Magistrate Agra claiming therein that their possession over Khasra No. 2155(ka), Bake Jyoti Nagar near Chandra Nagar, Mauja Narayach, Police Station Transyamuna Colony, Tehsil Atmadpur, District Agra has been disturbed by their son Sumit Pachauri and his wife Sadhna Singh.

4. The relief being claimed by the petitioners is clearly referable to Act No. 56 of 2007.

5. Written instructions received by learned Standing Counsel further indicate that the proceedings thus instituted by the

petitioners are now fixed for hearing on 06.11.2023.

6. While pleadings made in the writ petition are deficient, acting on the written instructions produced by learned Standing Counsel, we **dispose of** the writ petition with the observation, in case the proceedings above described are still pending, the same may be dealt with and decided, as expeditiously as possible, strictly in accordance with law, after hearing all necessary parties, preferably within a period of one month from 06.11.2023, the next date fixed in the proceedings

Order Date :- 30.10.2023

SA

(S. Q. H. Rizvi, J.) (S.D. Singh, J.)