

Court No. - 40

Case :- WRIT - C No. - 34445 of 2023

Petitioner :- Pankaj

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

Counsel for Petitioner :- Byas Kumar Prasad,Viveka
Nand Maurya

Counsel for Respondent :- C.S.C

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Mohd. Azhar Husain Idrisi,J.

1. Heard learned counsel for the petitioner and Sri Avanish Shukla, learned Standing Counsel for the State-respondents.

2. By the instant writ petition, the petitioner seeks the following relief :-

"I. Issue writ order or direction in the nature of mandamus directing the respondent no. 2-District Magistrate, Allahabad and Respondent no. 3-Sub-Divisional Magistrate, Tehsil Karchhana, District Allahabad to take appropriate steps for removing illegal occupation of the respondent no.4 and 5, within stipulated period as may be fixed by this Hon'ble Court.

II. Issue writ order or direction in the nature of mandamus directing the Respondent no. 3-Sub-Divisional Magistrate, Tehsil Karchhana, District Allahabad to decide the application of the petitioner dated 08.09.2023 (Annexure No. 2 to the writ petition), within stipulated period as may be fixed by this Hon'ble Court."

3. Learned Standing Counsel submits that the respondent No. 3-Sub-Divisional Magistrate, Tehsil Karchhana, District Allahabad, shall consider the application of the petitioner.

4. In view of the above, the writ petition is **disposed of**, with a direction to the respondent No. 3-Sub-Divisional Magistrate, Tehsil Karchhana, District Allahabad to consider and decide the application of the petitioner within a period of six weeks, from the date of filing of a certified copy of this order before him. Petitioner to file a copy of the representation and writ petition along-with certified copy of this order.

5. It is clarified that the Court has not considered the claim of the petitioner on merit.

Order Date :- 9.11.2023

Rmk.