

Court No. - 32

Case :- WRIT - C No. - 35342 of 2023

Petitioner :- Atar Singh And 3 Others

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Rakesh Kumar Tripathi, Anupama Tripathi

Counsel for Respondent :- C.S.C., Hari Narayan Singh

Hon'ble Salil Kumar Rai, J.

Hon'ble Surendra Singh-I, J.

1. The present petition has been filed praying for mandamus commanding the respondent/Revenue Authorities not to dispossess the petitioners from plot no. 222Ga.
2. The khatauni of the plot no. 222Ga annexed with the writ petition in this case shows that the plot has been recorded as *banjar* in the revenue record.
3. In view of the aforesaid, prima facie the petitioners have no title over the said plot and the prayer cannot be granted.
4. In case the petitioners claim that the trees planted by them or their ancestors are not on plot no. 222Ga but on any area of plot no. 222 which vested in the petitioners, the petitioners can institute appropriate proceedings u/s 24 of the U.P. Revenue Code, 2006 for demarcation of plots before the Sub-Divisional Officer. The petitioners may also institute proceedings for declaration of their rights if they claim that they were the owners of plot no. 222Ga.
5. In view of the aforesaid, the present petition is not maintainable and is dismissed.
6. However, the petitioners may exercise the remedies available to them under the law as referred above.

Order Date :- 12.10.2023

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