

Court No. - 52

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 2374 of 2023

Petitioner :- Shabban @ Sibban

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

Counsel for Petitioner :- Navneet Lal Srivastava, Akshay Kumar Shukla

Counsel for Respondent :- C.S.C.

Hon'ble Saurabh Srivastava, J.

1. Heard Sri Navneet Lal Srivastava, learned counsel for petitioner and learned Standing counsel for State respondents.

2. Present petition has been filed seeking following reliefs:

"(a) issue a suitable writ of mandamus commanding and directing the respondent no. 2 to dispossess the respondent no. 4 over the arazi no. 332 area about 0.020 hect; recorded in the name of Dhobhi Ghat of petitioner in pursuance of the order dated 30.04.2005 passed by respondent no. 3 in Case no. 78/153, under Section 122-B of the U.P. Zamindari Abolition Act situated at village Nathnagar, Tappa Sonadi, Pargana Tilpur, Thana Chauk, Tahsil Sadar, District Maharajganj forthwith within stipulated period as directed by this Hon'ble Court.

(b) issue a suitable writ of mandamus commanding and directing respondent no. 2 and 3 to take appropriate decision over the application of the petitioner forthwith in accordance with law within prescribed as directed by this Hon'ble Court."

3. At the very outset, learned Standing counsel came up with specific instructions which is taken on record through which he submitted that against the order dated 30.04.2005, restoration case no. 4716 of 2022 is pending before Tehsildar (Judicial) Sadar, District Maharajganj which will be decided expeditiously.

4. In view of the aforementioned facts and circumstances, the prayer made in the petition cannot be acceded during pendency of the restoration application.

5. Writ petition stands ***disposed of*** accordingly.

Order Date :- 19.10.2023

Shaswat