

Court No. - 52

Case :- WRIT - C No. - 34135 of 2023

Petitioner :- Abhimanyu

Respondent :- State Of U.P. And 10 Others

Counsel for Petitioner :- Utsav

Counsel for Respondent :- C.S.C.

Hon'ble Saurabh Srivastava,J.

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

2. Present writ petition has been filed seeking a direction in the nature of mandamus to be issued in favour of the respondent no.2 to finalize the proceeding of measurement/demarcation of petitioner's land being plot no. 606 area 0.026 hectare, plot no. 607 area 0.026 hectare and plot no. 626 area 0.003 hectare situated at Village Bhitari, Tehsil Sadar, Pargana Dehat Amanat, District Varanasi in pursuance of the order dated 26.8.2014 and 23.7.2022 passed by Additional City Magistrate-I, Varanasi in Case no. 24/44 of 2013 (Abhimanyu vs. State and others) under Section 41 of Land Revenue Act, pending in the court of Sub Divisional Magistrate, Sadar Varanasi, expeditiously.

3. Learned counsel for petitioner submits that grievance of petitioner would sufficiently be met in case, the aforesaid case is considered and decided in a time bound period.

4. Learned Standing Counsel submits that no useful purpose would be served in keeping the writ petition pending and an appropriate direction may be issued to respondent no.2 to consider the grievance of the petitioner.

5. Be that as it may, without entering into the merits of the case as well as if there is no other legal impediment available, the respondent no.2

is hereby directed to finalize the proceeding of measurement/demarcation of petitioner's land being plot no. 606 area 0.026 hectare, plot no. 607 area 0.026 hectare and plot no. 626 area 0003 hectare situated at Village Bhitari, Tehsil Sadar, Pargana Dehat Amanat, District Varanasi in pursuance of the order dated 26.8.2014 and 23.7.2022 passed by Additional City Magistrate-I, Varanasi in Case no. 24/44 of 2013 (Abhimanyu vs. State and others) under Section 41 of Land Revenue Act, pending in the court of Sub Divisional Magistrate, Sadar Varanasi, as expeditiously as possible, preferably within a period of six months from the date a certified copy of this order is produced before him, after affording proper opportunity of hearing to all the effected parties.

6. With the aforesaid directions, the writ petition is **disposed of**.

Order Date :- 16.10.2023

Rakesh