

Court No. - 40

Case :- WRIT - C No. - 34859 of 2023

Petitioner :- Ram Pratap Bhardwaj

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Ramdhan

Counsel for Respondent :- C.S.C.

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Prashant Kumar,J.

1. Heard Shri Abhijeet Singh holding brief of Shri Ramdhan, learned counsel for the petitioner and Shri S.C. Upadhyay, learned Standing Counsel for the State-respondents.

2. The present writ petition is preferred questioning the validity of the impugned show-cause notice dated 14.09.2023 issued under Sections 10 & 10(2) of The Uttar Pradesh (Regulations of Building Operations) Act, 1958.

3. Learned Standing Counsel raised an objection regarding the maintainability of the writ petition on the ground that the writ is no maintainable at this stage as the present writ petition is preferred against the impugned show-cause notice dated 14.09.2023 and till date, the proceedings have not been finalised, therefore, the writ petition is liable to be dismissed.

4. Confronted with this situation, learned counsel for the petitioner states that against the impugned show-cause notice, detailed objection is already filed by the petitioner and till date, the respondents have not finalised the proceedings and there is every likelihood, the demolition would be carried out.

5. Considering the facts and circumstances, we are not inclined to keep the matter pending consideration. With the consent of counsel for the parties, the writ petition stands **disposed of** asking the prescribed authority/Sub-Divisional Magistrate, Regulated Area, Hathras to finalise the proceedings expeditiously, within six weeks from the date of production of certified copy of this order but certainly after giving an opportunity of hearing to all the stakeholders in the matter, specially respondent nos. 5 and 6 (arrayed as private respondents). The parties shall maintain status quo regarding the property in dispute till the period of six weeks or till disposal of said proceedings, whichever is earlier.

Order Date :- 2.12.2023/ Rama Kant