

Court No. - 40

Case :- WRIT - C No. - 35532 of 2023

Petitioner :- Pavan Singh @ Taran Singh

Respondent :- State Of U.P. And 7 Others

Counsel for Petitioner :- Arun Pratap Singh, Kamaluddin

Counsel for Respondent :- C.S.C.

Hon'ble Mahesh Chandra Tripathi, J.

Hon'ble Prashant Kumar, J.

1. Heard learned counsel for the petitioner and Sri Devesh Vikram, learned Additional Chief Standing Counsel for State-respondents.
2. In view of the order proposed to be passed today, notices need not be issued to the private respondents i.e. respondent nos.5 to 8.
3. In pith and substance, the grievance of the petitioners is that the respondent nos.5 to 8 have removed the bricks of khadanja with Nali, 130 metre length and 3 metre width, from the house of one Amar Bahadur upto CC Road situated in Village-Gani Pur, Tehsil-Soraon, District-Prayagraj. In this regard, petitioner has approached the Police Commissioner, Prayagraj as well as other superior authorities but till date no action has been taken.
4. Learned Additional Chief Standing Counsel did not dispute the aforesaid facts and he fairly submitted that in case, petitioner moves a representation before the concerned Sub Divisional Magistrate raising his grievances, the same would be considered and decided by the concerned authority within the time as is fixed by this Court.
5. Considering the facts and circumstances, without advertent any opinion on the merits of the case, we dispose of the writ petition requiring the petitioner to file a fresh representation ventilating his grievances before the concerned Sub Divisional Magistrate within a ten days from today along with a certified copy of this order and in case, such representation is filed, the concerned Sub Divisional Magistrate shall consider and decide the same in accordance with law, as expeditiously as possible, preferably within three weeks thereafter, but certainly after affording opportunity to all the stakeholders in the matter.

Order Date :- 29.11.2023

Manish Himwan