

Court No. - 40

Case :- WRIT - C No. - 35993 of 2023

Petitioner :- Sundar Lal

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

Counsel for Petitioner :- Vinod Kumar Tirpathi, Mahendra Kumar Shukla, Vijay Kumar Mishra

Counsel for Respondent :- C.S.C.

Hon'ble Mahesh Chandra Tripathi, J.

Hon'ble Prashant Kumar, J.

1. Learned counsel for the petitioner is permitted to make necessary corrections in the memo of petition regarding array of parties during the course of the day and implead the new respondent.
2. Heard Shri Vijay Kumar Mishra, learned counsel for the petitioner, Ms. Uttara Bahuguna, learned Additional Chief Standing Counsel for the State-respondents.
3. The petitioner has prayed for a writ, order or direction in the nature of mandamus directing/commanding the respondent no. 2 to decide the representation dated 18.06.2021 within stipulated time.
4. In pith and substance, the petitioner is confined his prayer that his representation/application dated 18.06.2021 which is moved before Superintendent of Police, District- Rampur for redressal of his grievance may be decided expeditiously. He submits that as the private respondents had instituted an Original Suit for injunction bearing O.S. No. 32 of 2005 and the same was rejected by the court below vide judgement and order dated 04.04.2014 and at no point of time, the same has been assailed to higher forum. Counsel for the petitioner further submits that the respondents have no right, title or claim but, they are harassing the petitioner.
5. Learned Additional Chief Standing Counsel very fairly submits that, in case, any such representation is pending, the same would be decided by the concerned authority.
6. Considering the facts and circumstances of the case, without expressing any opinion on the merits of the issue and with the consent of counsel for the parties, the writ petition stands **disposed of**, in case, the petitioner moves a fresh representation before the concerned Sub-Divisional Magistrate within a week's time, the

same would be considered and decided by the concerned authority on merits strictly in accordance with law within a period of six weeks from the date of receipt of certified copy of this order, but certainly after giving opportunity to all the stakeholders in the matter.

Order Date :- 17.10.2023

Rama Kant