

Court No. - 21

Case :- WRIT - C No. - 35112 of 2023

Petitioner :- Dinesh Tyagi

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

Counsel for Petitioner :- Sohan Lal Yadav

Counsel for Respondent :- CSC, Pradeep Kumar Tripathi, Ravi Prakash Pandey

Hon'ble Manoj Kumar Gupta, J.

Hon'ble Donadi Ramesh, J.

1. The instant petition has been filed praying for a writ of mandamus commanding the respondents not to disburse compensation amount in favour of the private respondents until the suit for cancellation of will deed bearing number 940 of 2021 filed by the petitioner is decided.

2. It seems that there is dispute relating to title between the petitioner and private respondents and certain litigation in respect thereof is pending before the civil court. A revision at the behest of the petitioner against the order of mutation of names of the private respondents in the revenue records is also pending before the Commissioner. The petitioner filed application before respondent no. 3 in respect of the compensation amount determined by him for the acquired land, which is subject matter of the suit. Respondent no. 3 on 25.8.2023 issued notices to the private respondents fixing 2.9.2023.

3. Counsel for the petitioner admits that respondent no. 3 has already heard the parties and order is reserved. He states that the petitioner sought adjournment before respondent no. 3 and on account of which order was not passed.

4. As the petitioner himself has delayed the disposal of proceedings pending before respondent no. 3, therefore we find no good ground to issue any direction at this stage.

5. The writ petition is disposed of with direction to respondent no. 3 to decide the matter expeditiously, preferably within four weeks from the date of receipt of a true attested copy of the instant order.

(Donadi Ramesh, J.) (Manoj Kumar Gupta, J.)

Order Date :- 30.10.2023

Jaideep/-