

Court No. - 40

Case :- WRIT - C No. - 36835 of 2023

Petitioner :- Vimla And 3 Others

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

Counsel for Petitioner :- Vinod Kumar Chandel, Mayank Krishna S Chandel, Ram Niwas Singh

Counsel for Respondent :- CSC

Hon'ble Mahesh Chandra Tripathi, J.

Hon'ble Prashant Kumar, J.

1. Heard Sri Vinod Kumar Chandel, learned counsel for the petitioners and Sri Ambrish Shukla, learned Additional Chief Standing Counsel for the State-respondent.
2. The present writ petition has been preferred for a mandamus commanding the respondents to determine compensation in respect of the disputed land in accordance with the provisions of Act No. 30 of 2013 and pay the same along with interest for delayed payment.
3. Petitioners claim to be owner of Arazi No. 410 (area 0.1130 hectare) situated at village Baresar, Pargana and Tehsil Zamania, District Ghazipur. Their holding had been utilised by the Irrigation Department (Lift Division), Varanasi while laying canal. In this backdrop, they made representations for release of compensation but till date the same has not been accorded by the respondent. Meanwhile, the State Government had issued the Government Order dated 12.5.2016 (Annexure No. 4 to the writ petition) to remedy such situation. Learned counsel for the petitioners confined his prayer that the grievance of the petitioners may be addressed in the light of said Government Order.
4. Considering the facts and circumstances of the case, no useful purpose would be served keeping the matter pending consideration and on consent, the writ petition stands disposed of asking the petitioners to move an appropriate application along with documentary evidence ventilating their grievance before the second respondent within two weeks from today. In case, any such application is moved by the petitioner within stipulated time, the same would be looked into, examined and decided within two weeks thereafter strictly in accordance with law and in the light of

Government Order dated 12.5.2016. In case, claim of the petitioners is found sustainable, the entire admitted amount is to be released in favour of the petitioners within four weeks thereafter.

Order Date :- 22.11.2023

A.K.Srivastava