

Court No. - 21

Case :- WRIT - C No. - 35521 of 2023

Petitioner :- Suryamani Pathak And 3 Others

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

Counsel for Petitioner :- Rakesh Mishra

Counsel for Respondent :- C.S.C.

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 to pay compensation to the petitioners for having taken over possession of some part of land of plot No. 336 area 1.5080 Hectare, situated village Govindpur Patti (Bhadohi), Tehsil Ghyampur, District Bhadohi and decide the application dated 11.09.2023.

2. The case of the petitioners is that the respondents had taken possession of the aforesaid land without any formal acquisition for widening of certain road without payment of any compensation.

3. By a previous order, we granted time to learned Standing counsel to obtain instructions. Sri Rajeev Gupta, learned Additional Chief Standing Counsel is present on behalf of State-respondents. He states that the respondents have not furnished any instruction to him so far. He submits that the claim of the petitioners can be decided by the Committee in terms of Government Order dated 12.05.2016.

4. In our opinion, it will sub-serve the ends of justice.

5. Accordingly, without expressing any opinion of merits, the petition is disposed of with liberty to the petitioners to file fresh representation with true attested copy of the instant order before respondent no.2 within two weeks from today and in which event, he will place the same before the Committee envisaged under Government Order dated 12.05.2016 for being decided in accordance with law, within next twelve weeks by a speaking order after hearing the petitioners.

Order Date :- 13.10.2023

Mukesh Kr.

(Donadi Ramesh,J.)

(Manoj Kumar Gupta,J.)