

Court No. - 48

Case :- WRIT - B No. - 3558 of 2023

Petitioner :- Tulsiram And 4 Others

Respondent :- District Magistrate And 3 Others

Counsel for Petitioner :- Sunil Kumar Pandey, Himanshu Pandey

Counsel for Respondent :- C.S.C., Azad Rai

Hon'ble Saurabh Shyam Shamschery, J.

1. Heard Sri Himanshu Pandey, learned counsel for petitioners, Sri A.K. Rai, learned Additional Chief Standing Counsel for State-Respondents and Sri Azad Rai, Advocate for Gaon Sabha.

2. This Court vide order on 16.10.2023 has directed learned Additional Chief Standing Counsel to take instruction on following three issues:

“(1) Under which circumstances and provisions of law, District Magistrate/Chief Revenue Officer has sought legal advice from District Government Advocate Revenue as well as whether he was bound to follow the same?”

(2) Once the order dated 09.05.1995 passed in favour petitioner was not under dispute and thereafter the Consolidation Officer has also passed order of 'Amaldaramad' on 08.08.2019, whether concerned authority was justified in not implementing said orders only on ground that subsequently land in question was shown in revenue records as 'Naveen Parti'?

(3) Whether due to delay, if any, it would be deemed that the petitioner has relinquished his right?”

3. Today learned Additional Chief Standing Counsel has placed on record an order dated 02.11.2023 passed by Chief Revenue Officer, Prayagraj that Amaldaramad has been approved. Copy of the order has been provided to learned counsel for

petitioners.

4. Learned counsel for petitioners fairly submits that in view of above order dated 02.11.2023 the prayer made in this writ petition has been duly addressed.

5. In aforesaid circumstances, there is no need to decide the above referred issues framed by this Court vide order dated 16.10.2023.

6. In view of above, the writ petition is disposed of.

Order Date :- 6.11.2023

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