

Court No. - 40

Case :- WRIT - C No. - 35907 of 2023

Petitioner :- Arshad Ali And 2 Others

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

Counsel for Petitioner :- Sachin Kumar Sharma

Counsel for Respondent :- C.S.C.

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Prashant Kumar,J.

1. Heard Shri Sachin Kumar Sharma, learned counsel for the petitioners, Shri Devesh Vikram, learned Additional Chief Standing Counsel appearing for the State-respondents.

2. By means of the present writ petition, the petitioners have prayed for a direction in the nature of mandamus directing/commanding the respondent nos. 2, 3 and 4 to provide protection for making construction on the land of Gata No. 459(Kha) of the petitioners, situated in Village- Sisarka, Tehsil-Bisauli, District- Budaun (which was purchased through registered sale-deed dated 19.09.2020).

3. In pith and substance, petitioners are before this Court with a prayer that their applications may be decided expeditiously.

4. Learned Additional Chief Standing Counsel very fairly submits that, in case, any such application is pending, the same would be decided by the concerned authority.

5. 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 petitioners move a fresh representation before the concerned Sub-Divisional Magistrate within a week's time, the same would be considered strictly in accordance with law, in case, there is no legal impediment, 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