

Court No. - 39

Case :- WRIT - C No. - 35759 of 2023

Petitioner :- Rambabu Yadav

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Devesh Saxena

Counsel for Respondent :- C.S.C., Harsh Vardhan Gupta

Hon'ble Saumitra Dayal Singh, J.

Hon'ble Shiv Shanker Prasad, J.

1. Heard Mr. Devesh Saxena, learned counsel for the petitioner, Mr. A.P. Paul, learned counsel for respondent nos. 2 to 5 and the learned Standing Counsel for the State-respondents.

2. It transpires, earlier the petitioner's application seeking compounding of certain constructions raised by him had been rejected vide order dated 30th May, 2022. That order became subject matter of Appeal No. 497 of 2022 (Rambabu Yadav VS. Prayagraj Development Authority & Others) before the Divisional Commissioner, Prayagraj Division, Prayagraj, which was allowed vide order dated 12th July, 2022 and the compounding application of the petitioner was remitted to the original authority.

3. Grievance of the petition is, while such application has remained pending, respondent-authorities proceeded to seal the premises of the petitioner on 21st July, 2022.

4. Thus, challenge has been raised to the order dated 21st July, 2022 as also challenge has been raised to the order dated 30th May, 2022.

5. Insofar as the order dated 30th May, 2022 is concerned, the same does not survive in view of the appellate order dated 12th July, 2022.

6. So far as the sealing order dated 21st July, 2022 is concerned, more than a year has passed before the petitioner first approached this Court against that order by means of the present writ petition in October, 2023.

7. Accordingly, no useful purpose may be served by keeping the present writ petition pending or calling for counter affidavit at this stage. The writ petition is **disposed of** with a direction upon the respondent no.4 to deal with the petitioner's compounding application in accordance with law keeping in mind the observations made in the order dated 12th July, 2022 passed by the Divisional Commission referred to above. Such exercise may be completed within two months from today.

(Shiv Shanker Prasad, J.)

(Saumitra Dayal Singh, J.)

Order Date :- 2.11.2023/Sushil/-