

Court No. - 40

Case :- WRIT - C No. - 35836 of 2023

Petitioner :- Ajay Kumar Sharma

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

Counsel for Petitioner :- Raj Kumar Tiwari, Lok Nath Shukla

Counsel for Respondent :- C.S.C.

Hon'ble Mahesh Chandra Tripathi, J.

Hon'ble Prashant Kumar, J.

1. Heard learned counsel for the petitioner and Shri Ambrish Shukla, learned Additional Chief Standing Counsel for the State respondents.

2. Present writ petition is preferred for a direction commanding the Assistant Police Commissioner, Kotwali, Prayagraj and Sub Divisional Magistrate, Sadar, Prayagraj to do needful in the matter pursuant to the letters of the City Magistrate, Prayagraj appended as Annexure no.6 and 8 to the writ petition.

3. Learned counsel for the petitioner submits that the petitioner is an auction purchaser in the e-auction advertised by Bank of Baroda. He has purchased a property bearing House No.106/116, Mohalla Mohitsamganj, Pargana and Tehsil Sadar, District Prayagraj measuring area 85.66 sq. mtr., which belongs to respondent no.6 and possession was handed over to him with the help of police officials. He submits that respondent no.6 is creating all sort of hindrance in egress and ingress of the petitioner and as such, he has made several complaints to the District Authorities, wherein, cognizance has been taken by the City Magistrate, Prayagraj, who, in turn, has asked Chief Revenue Officer, Prayagraj to submit a report, which is submitted on 01.03.2023 and finally the City Magistrate, Prayagraj vide letter dated 03.04.2023 asked Sub Divisional Magistrate, Sadar, Prayagraj and the Assistant Police Commissioner, Kotwali, Prayagraj to do the needful in the matter but petitioner's grievance is still not ventilated.

4. Considering the facts and circumstances of the case, no useful purpose would be served in keeping the writ petition pending consideration. Without adverting on the merits of the case, we ***dispose of*** the writ petition asking the Sub Divisional Magistrate,

Prayagraj to do the needful in the matter expeditiously, preferably within two weeks but certainly after taking into account the report dated 01.03.2023 submitted by the Chief Revenue Officer, Prayagraj.

Order Date :- 22.11.2023

A. Pandey