

Court No. - 52

Case :- CIVIL MISC REVIEW APPLICATION No. - 495 of 2023

Applicant :- Sanjay Kumar And Another

Opposite Party :- State Of U.P. And 3 Others

Counsel for Applicant :- Ashish Kumar Singh, Dinesh Mishra

Counsel for Opposite Party :- Anoop Kumar

Hon'ble Saurabh Srivastava, J.

1. Heard Sri Ashish Kumar, learned counsel for the review applicant and Sri Anoop Kumar, learned counsel for the petitioner.
2. Learned counsel for the review applicant who has already preferred impleadment application during the pendency of the instant writ petition but at the time of adjudication no one has appeared on any of the dates which culminated into judgment dated 22.09.2023.
3. Being aggrieved with the judgment the instant review applicant has been preferred on behalf of same person who filed impleadment during pendency of the instant writ petition.
4. Sri Anoop Kumar, learned counsel for the petitioner vehemently opposed the review application preferred by the same person who are having interest only against plot no. 228, even after filing the impleadment application no one has appeared at the time of adjudication of the controversy as raised in the instant petition and as such the review is not maintainable and same may be dismissed with cost.
5. Sri Ashish Singh, learned counsel appearing for review applicant confined his prayer only for seeking opportunity of hearing at the time of initiating the proceedings under Section

38(2) of the U.P. Revenue Code.

6. On the agreement of both the learned counsel for the parties, the instant review application is hereby treated as modification to the order dated 22.09.2023 and the following lines shall be part of the paragraph no. 9 of the same:

"After due opportunity of hearing to all concerned".

7. The review application is accordingly disposed of.

Order Date :- 16.11.2023

A. Tripathi