

Court No. - 52

Case :- WRIT - C No. - 36512 of 2023

Petitioner :- Ramdaras Yadav And 7 Others

Respondent :- State Of U.P. And 10 Others

Counsel for Petitioner :- D.C. Dwivedi, Shashi Dhar Dwivedi

Counsel for Respondent :- C.S.C.

Hon'ble Saurabh Srivastava, J.

1. Heard Shri D.C. Dwivedi, learned counsel for petitioners and learned Standing Counsel for the State-respondent nos.1,2,3,9 & 11.

2. It is the case of the petitioner that the proceedings under Section 24 of the U.P. Revenue Code, 2006 was pending since 23.11.2021 in shape of Case No.1082 of 2021 (Ramnath and others Vs. Ramdaras and others) for expediting the same in Writ C No.29544 of 2023 (Ramdaras Vs. State of U.P. and 7 others) has already preferred by the petitioners and the same was disposed of vide order dated 29.08.2023 to be expedited within six months.

3. Learned counsel for the petitioner submitted through instant writ petition that immediately after order dated 29.08.2023, respondent no.4 initiated constructions over the plot in dispute i.e. plot no.73, situated at village Sugahi, Tappa Salempur, Pargana Salempur Majhauri, District Deoria.

4. A prayer has been made by learned counsel for the petitioner is that in pursuance of the order dated 29.08.2023, the matter under Section 24 of the U.P. Revenue Code, 2006 is going to be decided but during the said period, status-quo will be maintained.

5. Learned Standing Counsel vehemently opposed the prayer made in the writ petition but at the same time submitted that the legitimate right of the petitioner may be protected while contesting the matter in pursuance of the directions issued by this Court.

6. With the aforesaid directions, the writ petition stands disposed of.

7. It is also made clear that during pendency of Case No.1082 of 2021 pending before the respondent no.3, all the respondents are directed to maintain status-quo over the land in question.

8. Office is directed to provide a certified copy of this order to learned counsel for the petitioners within 24 Hours.

Order Date :- 19.10.2023
RKM