

Court No. - 21

Case :- WRIT - C No. - 36328 of 2023

Petitioner :- Vashishtha Narayan Chaudhari

Respondent :- Union Of India And 3 Others

Counsel for Petitioner :- Bachcha Singh

Counsel for Respondent :- A.S.G.I., Amrish Sahai, C.S.C.

Hon'ble Manoj Kumar Gupta, J.

Hon'ble Donadi Ramesh, J.

1. The instant petition has been filed praying for writ of mandamus commanding respondent no.4 i.e Special Land Acquisition Officer, Ballia to register the deed or release land compensation of Khata No. 00259, Gata No. 12 Kha area 0.0400 hectare and Gata No. 39Kha area 0.0690 hectare (half share) of Village Cheruiyan, Pargana and Tehsil Ballia, District Ballia.

2. A counter affidavit has been filed on behalf of State-respondents and in which the stand taken is that as per bandobast, area of Gata No. 12 Kha was recorded as 0.10 decimal. The father of the petitioner had sold 0.17 decimal through sale-deed on 26.12.1990 to one Mahesh, which is more than his share in the said land. In respect of Gata No. 39 Kha, area 0.0690 hectare, it is mentioned that the petitioner had half share, which was purchased from him on 22.11.2022 and he was paid compensation on 27.12.2022.

3. These material facts have not been disclosed in the writ petition.

4. The writ petition has been filed by suppressing material facts and is dismissed accordingly.

(Donadi Ramesh, J.)

(Manoj Kumar Gupta, J.)

Order Date :- 6.11.2023

Noman