

Court No. - 40

Case :- WRIT - C No. - 36974 of 2023

Petitioner :- Mohd. Ayub

Respondent :- State Of U.P. and 9 Others

Counsel for Petitioner :- Suneel Kumar Mishra,Dinesh Kumar Rawat

Counsel for Respondent :- C.S.C

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Ms. Nand Prabha Shukla,J.

1. Heard learned counsel for the petitioner and Mrs. Shubhra Singh, learned Standing Counsel for the State respondent nos.1 to 6.
2. In view of the order, which is proposed to be passed today, notice need not go to the private respondent nos. 7 to 10.
3. The present writ petition is preferred under Article 226 of Constitution of India for a direction commanding the Sub Divisional Magistrate, Tehsil Soraon, District Prayagraj to consider the application dated 08.08.2023, wherein the petitioner claims that he is having absolute title and claim over the property in dispute and the private respondent nos.7 to 10 are unnecessarily creating hindrance in his peaceful possession and in view of the relevant Government order, the direction may be issued to the respondents to redress the grievance of the petitioner.
4. Learned counsel for the petitioner in support of his submission states that the petitioner moved an application dated 08.08.2023 before the Competent Authority and the same had been endorsed by the Sub Divisional Magistrate, Tehsil Soraon, District Prayagraj and he directed the Assistant Consolidation Officer, Soraon, Prayagraj to enquire into the matter and submit a report. He submits that cognizance is already taken over the complaint of the petitioner but till date the respondents have not taken any remedial measure. Such situation has impelled the petitioner to approach this Court with the aforesaid relief.
5. Learned Additional Chief Standing Counsel fairly states that in case any such application is pending consideration, then definitely the authority would proceed to decide the claim of the parties as per law.

6. Considering the facts and circumstances, without advertent on merits of the case and on consent, the writ petition is disposed of with direction to the competent authority to redress the grievance of the petitioner strictly in accordance with law expeditiously, preferably, within six weeks from the date of receipt of certified copy of this order, but certainly after giving opportunity of hearing to all the stakeholders in the matter.

Order Date :- 28.10.2023

Puspendra