

Court No. - 40

Case :- WRIT - C No. - 38638 of 2023

Petitioner :- Sudhir Kumar

Respondent :- State Of U P And 4 Others

Counsel for Petitioner :- Rajeev Kumar Saxena

Counsel for Respondent :- C.S.C., Hari Narayan Singh, Sanjay Kumar Om

Hon'ble Mahesh Chandra Tripathi, J.

Hon'ble Prashant Kumar, J.

1. Heard Sri Rajeev Kumar Saxena, learned counsel for the petitioner; learned Standing Counsel for State respondent nos.1 to 3; Sri Sanjay Kumar Om, learned counsel for respondent no.4 and Sri Hari Narayan Singh, learned counsel for respondent no.5.

2. By means of present writ petition, the petitioner has prayed for direction to the respondent authority not to make any construction of the water tank upon his land, Gata No.210/462 area 0.316 hec. situated in Village Badshahpur Chhauk, Tehsil Bidhuna, District Auraiya and to decide the representation of the petitioner.

3. Learned counsel for the petitioner states that so far as the grievance of the petitioner is concerned, he has already filed applications/representations dated 24.07.2023 and 18.07.2023 before the respondents for redressal of his grievance, which are still pending. He has confined his prayer only to the relief that his representations may be considered by the appropriate authority.

4. Learned counsel for the respondents has no objection to the said prayer.

5. No useful purpose would be served in keeping the writ petition pending.

6. In view of above, without expressing any opinion on the merits of the issue and considering the facts and circumstances of the case, this writ petition is disposed of finally giving liberty to the petitioner to move a fresh representation before the Sub Divisional Magistrate, Tehsil Bidhuna, District Auraiya (respondent no.3) within two weeks time from today. In case any such representation is moved within the said period, the same shall be considered and decided by the respondent no.3 in accordance with law within next four weeks.

Order Date :- 8.11.2023

RKP