

Court No. - 40

Case :- WRIT - C No. - 36955 of 2023

Petitioner :- Rohtash Singh

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Ajay Singh Yadav

Counsel for Respondent :- CSC

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Prashant Kumar,J.

1. Heard learned counsel for the petitioner and learned standing counsel for the State respondents.
2. In view of the order, which is being passed no notice is required to be issued to the respondents no.5 & 6.
3. The grievance of the petitioner is that his private land is being grabbed by land mafias.
4. Ordinarily, the Courts do not interfere in disputes regarding rights over property, however, the State Government has taken a policy decision to take stern action against the land mafias and has issued a Government Order dated 1.5.2017 wherein three committees have been constituted at State, regional and district level to consider such matters. The Government order further directs District Magistrates to enlist the land mafias in Districts and take appropriate action against them. It is also provided in the Government Order that in the cases of senior citizen, members of marginal section of the society or government land, if any land mafia grabs the property, firm action be taken against such persons.
5. From the material on record we find that for redressal of his grievance the petitioner has made a representation to the District Magistrate on 29.8.2023 which is on the record as annexure-2 to the writ petition.
6. We have heard learned counsel for the petitioner and the learned Standing Counsel.
7. Taking into consideration facts and circumstances of the case, we are of the view that the ends of justice requires that cause of the petitioner be considered by the District Magistrate, Ghaziabad in accordance with law in light of the directions of the State Government in the aforementioned Government Order, expeditiously, preferably within three months from the date of communication of this order but certainly after affording opportunity to all the Stakeholders.

8. It is made clear that we have not adjudicated the matter on merits, the District Magistrate shall pass the order independently and in accordance with law.

9. The writ petition stands disposed of. There shall be no order as to costs.

Order Date :- 3.11.2023

S.P.