

Court No. - 52

Case :- WRIT - C No. - 38023 of 2023

Petitioner :- Jubed Ansari

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Juned Alam

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

Hon'ble Saurabh Srivastava, J.

1. Heard Sri Juned Alam, learned counsel for petitioner and Sri Shashi Kant Kushwaha, learned Standing counsel appearing on behalf of respondent nos. 1 to 3 as well as Sri Sanjay Kumar Om, learned counsel for respondent no. 4.

2. Present petition has been filed for seeking quashing of the order dated 06.06.2022 passed by respondent no.2 and issue a direction in the nature of mandamus in favour of the respondents not to install water tank over Plot no.727, situated at Village Bhadsar Khas, Pargana Haveli, District Kushinagar.

3. Today when the matter has been taken up, learned Standing Counsel came up with the specific instructions which is taken on record through which it has been transpired that total area of land in dispute is 0.130 hectare and out of them, only 0.074 hectare was allotted for construction of water tank. Insofar as *Kabristan* is concerned, the same will be intact over remaining area i.e. 0.056 hectare of plot in dispute.

4. In view thereof, there is hardly any cause of action arises in favour of the petitioner to pursue the instant petition.

5. Accordingly, the present petition stands **disposed of**.

Order Date :- 6.12.2023

Vivek Kr.