

Court No. - 32

Case :- WRIT - C No. - 37502 of 2023

Petitioner :- Akash Kumar And Another

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Arun Kumar Srivastava

Counsel for Respondent :- C.S.C., Krishna Kant Singh

Hon'ble Salil Kumar Rai, J.

Hon'ble Surendra Singh-I, J.

1. The grievance of the petitioner in the present petition is that the Gaon Sabha of the village of the petitioners is illegally encroaching over the Plot No. 84 area 1.1150 hectare situated in Village Barmau, Tehsil & Block Sikandrara, District- Hathras which is the bhumidhari plot of the petitioners.
2. The title of the petitioners is established from the khatauni of the plot which has been annexed as annexure no. 3 to the writ petition.
3. It appears from the record that regarding the same matter, the petitioners have already represented before the Commissioner, Aligarh Division, Aligarh and the Commissioner vide order dated 20th October, 2023 has sought report from the District Magistrate, Hathras within 15 days from the date of order. Apparently, the report has to be submitted by the District Magistrate, Hathras by 4/5 November, 2023.
4. However, it is stated by learned counsel for the petitioners that the Pradhan of the Gaon is still continuing his encroachment without waiting for any report to be submitted by the District Magistrate, Hathras by 4/5 November, 2023.
5. In the circumstances, the petition is disposed of with the liberty to the petitioners to approach the District Magistrate by way of filing an application along with the certified copy of this order. On receipt of the said application, the District Magistrate, Hathras shall take appropriate action in accordance with law.
6. The Registrar (Compliance) of this Court is directed to send a copy of this order to the District Magistrate, Hathras for necessary compliance within 24 hours.

Order Date :- 31.10.2023/Akbar