

Court No. - 47

Case :- WRIT - C No. - 38278 of 2023

Petitioner :- Kanhaiya Lal

Respondent :- State Of U.P. And 7 Others

Counsel for Petitioner :- Nabi Ullah

Counsel for Respondent :- C.S.C.

Hon'ble Manish Kumar Nigam,J.

1. Heard learned Counsel for the parties and perused the record.
2. The present writ petition has been filed for the following relief:

"I. issue a writ, order or direction in the nature of mandamus commanding and directing the respondents to comply the order dated 10.04.2023 passed by the Sub-Divisional Magistrate, Mariyahun, District Jaunpur in Case No.3060 of 2021 Computerized Case No.T202114360603060.

II. issue a writ, order or direction in the nature of mandamus commanding and directing the Sub-Divisional Magistrate, Mariyahun, District-Jaunpur/respondent No.3 to decide representation/application of the petitioner dated 13.10.2023 pending before him."

3. Contention of learned Counsel for the petitioner is that after an order dated 10.04.2023, boundary marks were installed, which have been subsequently removed by some persons and the same may be re-installed.
4. Learned Standing Counsel submitted that for the grievances of the petitioner, petitioner may move an appropriate application under Section 22 read with Section 23 of the UP Revenue Code, 2006.
5. In view of the same, I am not inclined to interfere the writ petition.
6. The present petition stands disposed of with liberty to the petitioner to move an appropriate application under Section 22 read with Section 23 of the UP Revenue Code, 2006. In case, such an application be moved by the petitioner, the same shall be decided after giving opportunity of hearing to the parties concerned and without granting unnecessary adjournments to

either of the parties provided that there is no other legal impediment.

Order Date :- 23.11.2023

Priya