

Court No. - 47

Case :- WRIT - C No. - 38507 of 2023

Petitioner :- Ramesh Kumar

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

Counsel for Petitioner :- Babhru Vahan Singh

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 petition has been filed for the following relief :

"(I). Issue a writ, order or direction in the nature of mandamus, commanding and directing the respondent no.2/Sub Divisional Magistrate, Tehsil-Meja, District-Prayagraj to decide the application dated 30.12.2022, 20.5.2023, 1.7.2023 and 7.10.2023 filed by the petitioner for restoring the possession by fixing pillars, which have been removed by the respondent no.4 and 5 illegally, within stipulated period of time as may be fixed by the Hon'ble Court."

3. Learned Standing Counsel raised a preliminary objections that in case the boundary marks installed after the demarcation and the same are removed, the petitioner has remedy of filing an application under Section 23(2) of the U.P. Revenue Code, 2006.

4. In view of the above, I am not inclined to interfere in the matter.

5. The writ petition is **disposed of** with a direction that in case the petitioner moves such an application under Section 23(2) of the U.P. Revenue Code, 2006, the same shall be considered in accordance with law after hearing all the parties concerned within a period of two months from the date of production of certified copy of this order 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 :- 20.11.2023

S. Singh