

Court No. - 40

Case :- WRIT - C No. - 38346 of 2023

Petitioner :- Abdul Hafeez

Respondent :- Union Of India And 9 Others

Counsel for Petitioner :- Vivek Saran

Counsel for Respondent :- A.S.G.I., Anand Tiwari, Avadhesh Narayan Dubey, C.S.C., Mohammad Afzal, Shiv Prakash Gupta

Hon'ble Mahesh Chandra Tripathi, J.

Hon'ble Prashant Kumar, J.

1. Heard learned counsel for the petitioner, Shri Anand Tiwari, learned counsel appearing for respondent nos. 3 and 4, Shri Mohd. Afzal, learned counsel appearing on behalf of respondent nos. 6 and 7, Shri Avadesh Narayan Dubey, learned counsel appearing for the respondent no. 5 and Shri Ambrish Shukla, learned Additional Chief Standing Counsel for the State-respondents.

2. The petitioner has prayed for a direction commanding the respondent no. 2 to stop the operation of petrol pump on Khasra Nos. 463 and 465 at Village- Bijauli, Hapur Road, Meerut with immediate effect till fresh permission is obtained from all concerned.

3. It is alleged that the private respondents have established a petrol-pump over the Gaon Sabha land. Shri Ambrish Shukla, learned ACSC states that, in case, it is alleged that the property in question belongs to the Gaon Sabha, full-fledged mechanism is provided under Section 67 of the U.P. Revenue Code. He submits that the said relief can be pressed under Code itself.

4. Considering the facts and circumstances, we are not inclined to entertain the writ petition on a dispute fact, admittedly, the petrol-pump is running at the site in question. In case, petitioner files an appropriate application in accordance with law, definitely, the same would be considered by the authority concerned, expeditiously.

5. With the aforesaid, the writ petition stands **disposed of**.

Order Date :- 11.12.2023

Rama Kant