

Court No. - 21

Case :- WRIT - C No. - 38694 of 2023

Petitioner :- Ravi Shankar Verma And Another

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Ashok Kumar Upadhyay,Om Prakash Shukla

Counsel for Respondent :- C.S.C.,Praveen Kumar Giri

Hon'ble Manoj Kumar Gupta,Acting Chief Justice

Hon'ble Donadi Ramesh,J.

1. The instant petition has been filed challenging a communication dated 12.09.2023 issued by respondent no.3 and addressed to Up-Ziladhikari, Tehsil Sadar, District Varanasi mentioning that the subject land is recorded as pit in the revenue records. In Column-2, name of Dr. Mathura Prasad, father of the petitioners is mentioned since 1368 fasli. The revenue records are to be amended in terms of the orders of Supreme Court. He has, therefore, forwarded the file to Up-Ziladhikari for carrying out amendment in the revenue records so that further action is taken in the matter by Nagar Nigam.

2. The petitioner is stated to be running a convent school over the said land. As already noted, petitioners are sons of Dr. Mathura Prasad, whose name is recorded in the revenue records in Column-2 since 1368 fasli. It is well settled that old entries cannot be tinkered with without proper opportunity to the person to be affected.

3. We, therefore, **dispose of** the instant petition by providing that Up-Ziladhikari, Tehsil Sadar, District Varanasi will afford opportunity of hearing to the petitioners to place their version on record before taking any action in the matter.

4. The petitioners will file a copy of the instant matter before

respondent nos. 3 and 4 so that it is duly complied with.

5. It is also provided that the parties will maintain status quo in respect of the subject land until the matter is decided by Up-Ziladhikari, Tehsil Sadar, District Varanasi (respondent no.4).

(Donadi Ramesh, J.)

(Manoj Kumar Gupta, ACJ.)

Order Date :- 24.11.2023

Noman