

Court No. - 40

Case :- WRIT - C No. - 38700 of 2023

Petitioner :- Mahant Sri Haridas Falahari Baba

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Amresh Chandra Upadhyay

Counsel for Respondent :- C.S.C, Kartikeya Saran

Hon'ble Mahesh Chandra Tripathi, J.

Hon'ble Prashant Kumar, J.

1. Heard Shri Amresh Chandra Upadhyay, learned counsel for the petitioner and Mr. Varun Singh holding brief of Shri Kartikeya Saran, learned counsel appearing for the Mela Adhikari- respondents.

2. The petitioner has prayed for the following reliefs :-

"(i) issue a writ, order or direction in the nature of mandamus commanding the respondent nos. 3 and 4 to make the allotment of land either in Khak Chowk or Sangam Lower/Upper Marg or Mahavir Ji Marg and release the land and all facilities (Suvidha Parchi, etc.) which is provided by the respondent no. 4 in favour of the petitioner, within stipulated period.

(ii) issue a writ, order or direction in the nature of mandamus commanding the respondents to decide the representation dated 05.10.2023 given by the petitioner within two weeks, if possible."

3. Learned counsel for the contesting-respondent raised an objection that the first relief is misconceived and the petitioner cannot insist for an allotment of land of a particular place. Even at this stage, the allotment of land has not commenced in the Magh Mela, which is commencing from January, 2024. He submits that he has no objection, in case, petitioner moves an application before the authority concerned for allotment of land at appropriate stage.

4. Considering the facts and circumstances, we are not inclined to adjudicate or keep the matter pending consideration. With the consent of counsel for the parties, the writ petition stands disposed of leaving it open for the petitioner to move an appropriate application at appropriate stage before the competent authority for redressal of his grievance. In case, any such application is preferred before the competent authority at appropriate stage, we hope and trust that the same would be considered and decided, expeditiously in accordance with law.

Order Date :- 5.12.2023

Rama Kant