

**Court No. - 52**

**Case :-** WRIT - C No. - 39036 of 2023

**Petitioner :-** Bijay Nath Dubey

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

**Counsel for Petitioner :-** Anil Kumar Pandey

**Counsel for Respondent :-** C.S.C.

**Hon'ble Saurabh Srivastava,J.**

1. Heard Sri Anil Kumar Pandey, learned counsel for petitioner and learned Standing Counsel for the State-respondents.

2. Present writ petition has been filed seeking following reliefs:

*"(a) issue an appropriate order, direction or writ in the nature of mandamus directing the learned Sub Divisional Officer, Tehsil-Gola, District-Gorakhpur (Respondent no. 2) to take appropriate decision on the petitioner's representation dated 25.10.2023 and 27.10.2023 (Annexure - 4 & 6 respectively) to secure the ends of justice;*

*(b) issue an appropriate order, direction or writ in the nature of mandamus directing the respondent no. 6 to maintain status-quo over the land in dispute at least till the decision of case no. T201805310704423 & case no. T201805310705407 (Rajesh Kumar Yadav vs. Bijay Nath) u/s 34 of U.P. Revenue Code, 2006 before the learned Tehsildar, Tehsil-Gola, District-Gorakhpur (respondent no. 3)."*

3. At the very outset, learned Standing counsel for State respondents came up with specific instructions which is taken on record through which it has been transpired that after inquiry it was found by the revenue authorities that at present no construction is being carried out over the plot in question, as is alleged in the representations preferred by the petitioner on dated 25.10.2023 and 27.10.2023.

4. Learned counsel for petitioner submits that grievance of petitioner would sufficiently be met in case, the aforesaid case no. T201805310704423 and case no. T201805310705407 is considered and decided in a time bound manner by respondent no.3.

5. Learned Standing Counsel submits that no useful purpose would be served in keeping the writ petition pending and an appropriate direction may be issued to respondent no.3 to consider the

grievance of the petitioner.

6. Be that as it may, without entering into the merits of the case as well as if there is no other legal impediment available, the respondent no.3 is hereby directed to consider and decide case no. T201805310704423 & case no. T201805310705407 (Rajesh Kumar Yadav vs. Bijay Nath) u/s 34 of U.P. Revenue Code, 2006, as expeditiously as possible, preferably within a period of six months from the date of production of certified copy of this order, after affording proper opportunity of hearing to all the parties.

7. With the aforesaid directions, the writ petition stands **disposed of**.

**Order Date :- 28.11.2023**

Shaswat