

Court No. - 47

Case :- WRIT - C No. - 38930 of 2023

Petitioner :- Belal Ashraf

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

Counsel for Petitioner :- Rama Shanker Yadav

Counsel for Respondent :- C.S.C., Bhupendra Kumar Tripathi

Hon'ble Manish Kumar Nigam, J.

1. Heard learned counsel for the parties and perused the record.

2. The instant writ petition has been filed seeking following relief :-

"i) issue, a writ, order or direction in the nature of certiorari quash the impugned eviction notice dated 22.9.2023 purported to be issued U/S 67 of U.P. Revenue Code 2006.

ii) issue, a writ, order or direction in the nature of mandamus staying the effect and operation of the impugned order dated 22.9.2023 purported to be issued U/S 67 of the U.P. Revenue Code 2006.

iii) issue, a writ, order or direction in the nature of mandamus directing the respondent authorities not to evict the petitioner from land in dispute in pursuance to the notice dated 22.9.2023."

3. By order dated 8.11.2023, instructions were called. Today, instructions have been placed before this Court by learned Standing Counsel, the same is taken on record.

4. According to the instructions, learned Standing Counsel has contended that petitioner has encroached the land of Government by raising a boundary wall, for which, proceedings u/s 67 of the U.P. Revenue Code, 2006 has already been initiated against the petitioner and 21.2.2023 is the date fixed in the matter.

5. Since the proceedings u/s 67 of the U.P. Revenue Code, 2006 has already been initiated against the petitioner, it will be in the interest of justice that petitioner may file his objections to the aforesaid proceedings and contest the same on merits.

6. No orders are required to be passed by this Court.

7. It is expected that the respondents' authorities will decide the pending proceedings in accordance with law after hearing all the concerned parties.

8. With these observations, the writ petition stands **disposed of**.

Order Date :- 30.11.2023

Rishabh

[Manish Kumar Nigam, J.]