

Court No. - 21

Case :- WRIT - C No. - 39205 of 2023

Petitioner :- Jairam And Another

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

Counsel for Petitioner :- Shashank Maurya,Om Prakash

Counsel for Respondent :- CSC

Hon'ble Manoj Kumar Gupta,Acting Chief Justice

Hon'ble Donadi Ramesh,J.

1. The instant petition has been filed by the petitioners praying for a writ of mandamus restraining the respondents from interfering in the peaceful possession of the petitioners over plot no.103M, area 50 dismal, Mohalla Kurkura, Pargana Bidhuna, District Auraiya.
2. The case of the petitioners is that a lease of 99 years was granted to them by the erstwhile Town Area Committee and the petitioners have constructed their house over it. However, respondents no.3 and 4 are now trying to demolish the constructions.
3. There is no material on record to show that any demolition is being carried on by any of the respondents. The alleged Patta of 99 years is by means of an unregistered agreement. The petition involves disputed questions of facts.
4. Accordingly, we decline to examine the issues in exercise of writ jurisdiction. We leave it open to the petitioners to approach respondent no.4 with a written representation in respect of their grievances and in which event, respondent no.4 will consider the same and pass a speaking order within eight weeks.
5. The petition stands disposed of accordingly.

(Donadi Ramesh, J.) (Manoj Kumar Gupta, A.C.J.)

Order Date :- 30.11.2023

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