

Court No. - 51

Case :- WRIT - C No. - 39242 of 2023

Petitioner :- Jayram Singh

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

Counsel for Petitioner :- Vinay Kumar Mishra

Counsel for Respondent :- C.S.C.,Rameshwar Prasad Shukla

Hon'ble Chandra Kumar Rai,J.

1. Heard Mr. Vinay Kumar Mishra, learned counsel for the petitioner, Mr. Shridhar Tripathi, learned Standing Counsel for the State-respondents and Mr. Rameshwar Prasad Shukla, learned counsel for respondent No.4/ Gaon Sabha.

2. The instant writ petition has been filed praying for a mandamus commanding the respondent no. 3 Sub Divisional Officer, Madhuban, District Mau to decide the application filed by the petitioner under Section 24 of U.P. Revenue Code, 2006 within stipulated period.

3. Learned counsel for the petitioner submitted that the petitioner has filed an application for demarcation in which report has been submitted but no final decision has been taken in the proceeding.

4. Mr. Shridhar Tripathi, learned Standing Counsel for the State-respondent submitted that no proper application under Section 24 of the U.P. Revenue Code 2006 has been filed complying the provisions contained under Rule 22 of the U.P. Revenue Code Rules 2016. He further submitted that no application has been annexed along with the writ petition which demonstrate that proper proceeding under Section 24 of the U.P. Revenue Code 2006 has been initiated.

5. I have considered the arguments advanced by the learned counsel for the parties and perused the record.

6. The provision for demarcation has been provided under Section 24 of the U.P. Revenue Code 2006 read with Rule 22 of the U.P. Revenue Code Rules 2016. There is no proper compliance of Section 24 of U.P. Revenue Code read with Rule 22 of U.P. Revenue Code Rules 2016 in the instant matter as such the instant petition is finally **disposed of** with with direction to the petitioner to file fresh application under Section 24 of the U.P. Revenue Code 2006 complying the provision of

Rule 22 of U.P. Revenue Code Rules 2016 within a period of 10 days before the respondent no. 3.

7. In case the application is filed along with certified copy of this order before the respondent no. 3 complying the provisions of U.P. Revenue Code, Rules 2016, the same shall be registered and disposed of according to the provision contained under Section 24 (3) of U.P. Revenue Code 2006.

Order Date :- 16.11.2023

Manoj