

Court No. - 51

Case :- WRIT - C No. - 39676 of 2023

Petitioner :- Harbhajan Singh

Respondent :- State Of U.P. And 23 Others

Counsel for Petitioner :- Vinod Kumar Yadav

Counsel for Respondent :- C.S.C, Arun Kumar Pandey

Hon'ble Chandra Kumar Rai, J.

1. Heard Counsel for the petitioner, Mr. Shridhar Tripathi, learned Standing Counsel for the State-respondents and Mr. Arun Kumar Pandey, Counsel for respondent no. 3, Land Management Committee.

2. In compliance of the order dated 20.11.2023, instruction dated 2.12.2023 is placed before the Court which is taken on record.

3. Mr. Shridhar Tripathi, learned Standing Counsel for the State-respondents submitted that in respect to plot No. 588M area 0.605 hectare, 588/7M area 0.405 hectare, 588/7M area 0.405 hectare and 588M area 0.458 hectare, proceeding under Section 24 of the U.P. Revenue Code, 2006 cannot be initiated accordingly report has been submitted by Tehsildar on 23.11.2023 and case No. T202313590305740 has been registered and 4.12.2023 is fixed in the matter. He further submitted that since plots are minjumla plot, as such, proper remedy will be under Section 30 (2) of U.P. Revenue Code, 2006.

4. Mr. Shridhar Tripathi, learned Standing Counsel for the State-respondents shall serve the copy of the instruction upon Counsel for the petitioner during course of the day.

5. Since the proceeding under Section 24 of U.P. Revenue Code, 2006 has been registered and the report has been submitted, as such, petitioner should appear in the pending proceeding which will be decided in accordance with law within period of **six weeks** after affording proper opportunity of hearing to the parties.

6. The instant writ petition is accordingly **disposed of**.

7. It is made clear that this Court has not expressed any opinion on the merit of the pending proceeding.

Order Date :- 4.12.2023/ Vandana Y.