

Court No. - 21

Case :- WRIT - C No. - 39758 of 2023

Petitioner :- Majid Khan And 6 Others

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Indra Deo Mishra, Pankaj Kumar Tiwari, Shushil Kumar Mishra

Counsel for Respondent :- CSC

Hon'ble Manoj Kumar Gupta, Acting Chief Justice

Hon'ble Donadi Ramesh, J.

1. The instant petition has been filed for a mandamus restraining the respondents from taking possession of plot no. 111M, Village Rasulpur, Pargana Haveli, Tehsil Chunar, District Mirzapur for purposes of widening of the road without taking recourse to law.

2. Sri Rajiv Gupta, learned Additional Chief Standing Counsel is in receipt of written instructions from the respondents. He states that the department is not undertaking any work for widening of the road. However, if any land is required, it will be taken either on basis of amicable settlement or by compulsory acquisition.

3. In view of the aforesaid stand of the State-respondents, we dispose of the instant petition by providing that the petitioners shall not be dispossessed from the subject land, unless the respondents obtain title over their land on basis of amicable settlement or by compulsory acquisition.

(Donadi Ramesh, J.)

(Manoj Kumar Gupta, ACJ.)

Order Date :- 7.12.2023

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