

Court No. - 40

Case :- WRIT - C No. - 40255 of 2023

Petitioner :- Rahul Gupta And Another

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

Counsel for Petitioner :- Subedar Mishra, Shailesh Kumar

Counsel for Respondent :- C.S.C.

Hon'ble Mahesh Chandra Tripathi, J.

Hon'ble Prashant Kumar, J.

1. Heard Shri Subedar Mishra, learned counsel for the petitioners and Shri F.A. Ansari, learned Standing Counsel for the State-respondents.

2. The petitioners have prayed for the following reliefs :-

"(i) issue a writ, order or direction in the nature of mandamus restraining the respondents not to dispossess the petitioners from their bhumidhari land of Gata No. 156, area 0.0340 hectare and commercial shop situated in village- Iradat Nagar (Kheragarh), Tehsil- Kheragarh, District- Agra.

(ii) issue a writ, order or direction in the nature of mandamus directing the respondents to consider and decide the reply/representation of petitioners dated 24.10.2023."

3. The petitioners claim to be tenant in the property in question and the notice was issued by the PWD for road widening.

4. Shri F.A. Ansari, learned ACSC raised an objection that the petitioners have not challenged the notice given by the PWD and even though, the objection of the said proceedings are still pending consideration. In the mid of the proceedings, no interference is required.

5. Considering the facts and circumstances, no useful purpose would be served in keeping the writ petition pending consideration.

6. With the consent of the counsel for the parties, in case, the objection is not decided by the respondents/competent authority, we hope and trust that the same should be decided expeditiously within ten days from the date of production of certified copy of this order. Suffice to indicate that we have not adverted to the merits of the case.

7. With the aforesaid direction, the writ petition stands **disposed of**.

Order Date :- 23.11.2023

Rama Kant