

Court No. - 47

Case :- WRIT - C No. - 39976 of 2023

Petitioner :- Chandrapal Singh

Respondent :- State Of U.P. And 9 Others

Counsel for Petitioner :- Virendra Singh

Counsel for Respondent :- C.S.C.

Hon'ble Manish Kumar Nigam, J.

1. Heard learned counsel for the parties and perused the record.

2. The present petition has been filed with the following prayer:

A. Issue a writ, order or direction in the nature of mandamus directing the Sub-Divisional Officer, Tehsil Syana, District Bulandshahr (respondent no. 3) to act as per provision of the Section 23 of the Uttar Pradesh Revenue Code 2006 and restore/repair/replace the proper boundary mark pursuant to the final decree passed by the Sub-Divisional Officer, Syana dated 02.08.2022, under proceeding as contained under Section 116 of the Uttar Pradesh Revenue Code, 2006 in respect of division of holding.

3. Learned Standing Counsel has raised a preliminary objection that the petitioner has not given any application as per the provisions of Section 23 of U.P. Revenue Code, 2006 and the applications which are annexed along with writ petition are addressed to Chief Minister or to the Sub Divisional Magistrate concerned in his personal capacity.

4. In view of the above, I am not inclined to entertain the instant petition.

5. This writ petition is disposed of with liberty to the petitioner to move appropriate application under Section 23 of U.P. Revenue Code, 2006.

6. In case, the petitioner moves such an application before appropriate authority, the same shall be decided expeditiously after hearing all the concerned parties in accordance with law.

Order Date :- 22.11.2023

Ved Prakash

(Manish Kumar Nigam, J.)