

Court No. - 40

Case :- WRIT - C No. - 41360 of 2023

Petitioner :- Dhaniram

Respondent :- State Of U.P.And 13 Others

Counsel for Petitioner :- Rajesh Kumar Nishad

Counsel for Respondent :- C.S.C.

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Surendra Singh-I,J.

1. Heard learned counsel for the petitioner and Sri Ambrish Shukla, learned Additional Chief Standing Counsel for the State-respondents.
2. In view of the order we propose to pass, no notice is required to be issued to respondents Nos.4 to 14.
3. This writ petition is preferred for following principal relief:

"A. Issue a writ, order or direction in the nature of Mandamus directing the respondent no.2 and 3 to take legal and strict action against the respondent no.4 to 14 and they may be restrained from taking possession over the Gata no.286, 288, 297, 289 situated in Village Alona, Police Station Pailani,Tahsil Pailani, District Banda.

B. Issue a writ, order or direction in the nature of Mandamus directing the respondent no.2 and 3 to evict the respondent no.4 to 14 from the property in dispute."

4. Considering the nature of relief as prayed by the petitioner, we are not inclined to adjudicate the matter. We leave it open to the petitioner to move a fresh application before the District Magistrate, Banda and in case any such application is moved within a week's time from today, we hope and trust that the same would be considered in accordance with law after providing opportunity of hearing to all the stakeholders, specially the respondent Nos.4 to 14.
5. With the aforesaid observations, the writ petition is **disposed of**.

Order Date :- 7.12.2023

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