

Court No. - 32

Case :- WRIT - C No. - 41859 of 2023

Petitioner :- Smt. Gulabi Devi And 4 Others

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Devendra Kumar Tiwari

Counsel for Respondent :- C.S.C.

Hon'ble Salil Kumar Rai,J.

Hon'ble Syed Qamar Hasan Rizvi,J.

Heard the counsel for the petitioners.

The grievance of the petitioners in the present petition is that the Gaon Sabha of the village is encroaching over their *bhumidhari* Plot No. 128 (area 0.036 hectare) and using the same as chak road even after demarcation of the plot of the petitioners in proceedings registered under Section 24 of the Uttar Pradesh Revenue Code, 2006.

The issue raised in the present petition can be resolved by the Sub-Divisional Magistrate, Rudrapur, District Deoria and, therefore, the petition is disposed of with the liberty to the petitioner to file a representation before the Sub-Divisional Magistrate, Rudrapur, District Deoria who shall look into the matter and pass appropriate orders on the representation of the petitioners within a period of one month from the date of filing the representation and in case, the allegations of the petitioners are found to be true, the Sub-Divisional Magistrate shall ensure that no encroachment is made over the plot of the petitioners by the concerned Gaon Sabha and appropriate action, in accordance with law, is taken against the Gram Pradhan, in case, the encroachment is so made.

With the aforesaid direction, the petition is ***disposed of***.

Order Date :- 12.12.2023

Satyam