

Court No. - 47

Case :- WRIT - C No. - 41912 of 2023

Petitioner :- Manish Mishra And Another

Respondent :- State Of U.P. And 7 Others

Counsel for Petitioner :- Santosh Kumar Pandey, Nitya Nand Pandey

Counsel for Respondent :- C.S.C., Azad Rai

Hon'ble Manish Kumar Nigam, J.

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

2. The instant writ petition has been filed seeking following relief :-

"i) Issue a writ, order or direction in the nature of certiorari quashing the impugned report dated 14.10.2023 prepared by respondent no.5 (Area Lekhpal, Gram Sabha-Sultanpur) Akbarpur, Pargana-Mirzapur Chauhari, Tehsil-Soraon, District-Prayagraj) regarding the proceeding under Section 67 Revenue Code, 2006 was initiated against the petitioners without following the procedure under Section 24 Revenue Code, 2006.

ii) Issue a writ, order or direction in the nature of Mandamus directing the respondents to consider and decide the application of the petitioners on dated 15.11.2023 pending before the respondents (Annexure no.1 to this petition)."

3. Contention of learned counsel for the petitioners is that the report submitted by respondent No.5 is only incorrect and on the basis of aforesaid report, proceedings u/s 67 of the U.P. Revenue Code, 2006 have been initiated against the petitioners.

4. Since the proceedings u/s 67 of the U.P. Revenue Code, 2006 have been initiated, this Court is not inclined to interfere with the matter.

5. Accordingly, the writ petition is **disposed of** with liberty to the petitioners to file objections, raising all his grievances in proceedings u/s 67 of the U.P. Revenue Code, 2006. In case such an application is filed by the petitioners along with certified copy of this order, the same will be considered and decided, in accordance with law, expeditiously, after giving opportunity of hearing to all the parties concerned and without granting unnecessary adjournments to either of the parties provided there is no other legal impediment.

Order Date :- 5.12.2023

Rishabh

[Manish Kumar Nigam, J.]