

Court No. - 21

Case :- WRIT - C No. - 42206 of 2023

Petitioner :- Manoj Kumar

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Dharendra Singh

Counsel for Respondent :- C.S.C., Sanjay Kumar Singh

Hon'ble Manoj Kumar Gupta, Acting Chief Justice

Hon'ble Donadi Ramesh, J.

1. Heard learned counsel for the petitioner, learned Standing Counsel for the State and Shri Sanjay Kumar Singh, learned counsel for respondent No. 3.

2. The case of the petitioner is that the respondents have taken over some excess land of the petitioner in guise of the acquisition of the adjoining land. The petitioner has, therefore, prayed for a direction to the respondents to pay compensation for the actual area of land on which possession has been taken.

3. It transpires that on 01.11.2023, Sub Divisional Magistrate, Sadar, District-Mau has constituted a Joint Survey Team to carry out survey of the site.

4. Shri Rajiv Gupta, learned Chief Standing Counsel very fairly states that the claim of the petitioner has to be decided by the District Level Committee in terms of the Government Order dated 12.05.2016.

5. Accordingly, without expressing any opinion on the merit of the case, the petition is **disposed of** with direction to the respondent No. 2 to place the claim of the petitioner before the District Level Committee for being decided, in accordance with law. The petitioner shall file his claim along with true attested copy of the instant order before respondent No. 2 within two weeks from today. The District Level Committee while deciding the matter will take into consideration the report of the Joint Survey Team to be submitted in compliance of order of Sub Divisional Magistrate, Sadar, District-Mau dated 01.11.2023.

(Donadi Ramesh, J.) (Manoj Kumar Gupta, A.C.J.)

Order Date :- 7.12.2023

Mukesh Pal