

Court No. - 3

Case :- WRIT - C No. - 5336 of 2003

Petitioner :- Shivendra Sahi

Respondent :- State Of U.P. Thru Secretary And 4 Ors

Counsel for Petitioner :- A.K. Agarwal, Anurag Narain Srivastava, Sanjay Saxena

Counsel for Respondent :- C.S.C

Hon'ble Vivek Chaudhary, J.

Hon'ble Manish Kumar, J.

Heard learned counsel for petitioner and the learned Standing Counsel for the State.

Present writ petition is filed by the petitioner praying for the following reliefs:-

"(I) To issue a writ, order or direction in the nature of mandamus commanding the opposite parties, specifically the opposite party no.4, to take over the possession of the surplus land from the petitioner which had been declared as surplus vide order dated 26.07.1977 passed by the opposite party no.5, contained in the Annexure No.1, to the present writ petition, and to pay the amount of compensation to the petitioner in accordance with law, otherwise the petitioner's name be re-entered in the Revenue Records as the tenure holder/owner of the surplus declared land.

(II) To issue a writ, order or direction in the nature of mandamus commanding the opposite party no.4 to comply with the order dated 30.09.2002 passed by the opposite party no.3 contained in the annexure no.4 to the present writ petition."

After arguing at some length, learned counsel for petitioner submits that grievance of petitioner would be substantially met in case representation of petitioner for the said purposes is considered and decided in a time bound manner.

Learned Standing Counsel has no objection to the same.

In view thereof, petitioner is permitted to make a fresh detailed representation to respondent no.5-S.D.O./Prescribed Authority (Ceiling), Tehsil Kadipur, District Sultanpur, raising all his grievance, annexing therewith a copy of this writ petition along with annexures and all the documents in support of his claim within a period of two weeks from today along with a certified copy of this order.

In case such a representation is moved by petitioner, respondent no.5, shall consider and decide the same in accordance with law by a reasoned and speaking order within a period of two months from the date a certified copy of this order along with representation is placed before him.

It is made clear that this court has not applied itself on the merits of the case and all questions are left open to be considered and decided by the competent authority in accordance with law.

With the aforesaid directions, present writ petition is ***disposed of***.

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(Manish Kumar, J.) (Vivek Chaudhary, J.)

Order Date :- 20.11.2023

Arjun/-