

Court No. - 9

Case :- WRIT - C No. - 5135 of 2023

Petitioner :- Avdhesh Kumar And Others

Respondent :- State Of U.P. Thru. Prin. Secy. Revenue Deptt. U.P. Civil
Sectr. Lko. And Others

Counsel for Petitioner :- Vaibhav Chauhan

Counsel for Respondent :- C.S.C.

Hon'ble Dinesh Kumar Singh,J.

Hon'ble Syed Qamar Hasan Rizvi,J.

1. Heard learned counsel for the petitioners as well as learned Additional Chief Standing Counsel for the State-respondents.
2. The present writ petition has been filed under Article 226 of the Constitution of India with the prayer to issue a writ, order or direction in the nature of Certiorari thereby quashing the impugned recovery certificate dated 18.5.2023 for recovery of Rs. 26,38,150/- plus interest as well as to issue a writ, order or direction in the nature of Mandamus thereby commanding and directing the opposite parties not to make any recovery proceedings or recovery any amount from the petitioner in pursuance of the impugned recovery certificate dated 18.5.2023 during the pendency of Appeal No. 1140 of 2022 Indian Stamp Act before the Commissioner, Ayodhya Mandal Ayodhya.
3. After arguing at some length, learned counsel for the petitioners, states that he would like to withdraw this writ petition and the same may be dismissed as such with liberty to be granted to the petitioners to approach the appropriate authority.
4. We give liberty to the petitioners to make a request before the appellate authority seeking time for depositing 1/3rd of the alleged amount. The appellate authority concerned may pass an appropriate order on the said application.
5. In view of above, the writ petition is hereby **dismissed as withdrawn** with liberty to the petitioners to approach appropriate authority seeking time to make statutory deposit as provided under Section 56 of the Indian Stamp Act.

(Syed Qamar Hasan Rizvi,J.) (Dinesh Kumar Singh,J.)

Order Date :- 22.6.2023/Arpan