

Court No. - 3

Case :- WRIT - C No. - 6972 of 2023

Petitioner :- Surendra Prasad And Others

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

Counsel for Petitioner :- Ajey Singh

Counsel for Respondent :- C.S.C.

Hon'ble Vivek Chaudhary,J.

Hon'ble Manish Kumar,J.

1. Heard learned counsel for petitioners and learned Standing Counsel for the State.
2. Petitioners have approached this Court for a mandamus commanding the respondents to stop construction of drainage on the private land of petitioners.
3. Learned Standing Counsel, on instructions, states that it was a natural stream of water which was going through the land of petitioners and the same was regulated by the respondent authority. He further submits that the construction work has been stopped by the respondents for the time being, since the said land was not acquired by the State authority.
4. Learned counsel for petitioners submits that meanwhile, some digging work has been conducted on the land in question for which, petitioners are entitled for damages. He further submits that the petitioners are ready for settlement, if the State may acquire the land of petitioners and pay them proper compensation.
5. For the said purpose, petitioners may move a representation before respondent no.3-Executive Engineer, Saryu Drainage Khand-2, Balrampur, annexing therewith all the documents in support of their 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 petitioners, respondent no.3 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.
6. With the aforesaid directions, present writ petition is ***disposed of***.

[Manish Kumar,J.] [Vivek Chaudhary,J.]

Order Date :- 3.11.2023

Sachin