

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 6730 of 2023

Petitioner :- Ajay Kumar Verma

Respondent :- State Of U.P. Thru. Prin. Secy. Deptt. Of Home Civil Sectt. Lko And 5 Others

Counsel for Petitioner :- Satish Kumar

Counsel for Respondent :- C.S.C., Mohan Singh

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Narendra Kumar Johari,J.

(1) Heard the learned counsel for the petitioner and the learned A.G.A. who appears for the Opposite party nos.1 to 4.

(2) This petition has been filed by the petitioner for the following main prayer:-

"1) Issue a writ, order or direction in the nature of Mandamus thereby commanding /directing the Opposite parties to get free the land of Chak Road Gata No.871 Area 0.045 hectare, situated in Village Munger, Pargana Baraunsa, Tehsil Jaisinghpur, District Sultanpur, from the illegal possession of the Opposite party no.5 forthwith who has included the Chak Road in his land and to restore its original position after demarcating on spot, in the interest of justice."

(3) It has been submitted by the learned counsel for the petitioner that the Opposite parties have encroached upon the Chak Marg of Gata No.871, Area 0.045 Hectare, situated in Village Munger, Pargana Baraunsa, Tehsil Jaisinghpur, District Sultanpur and he has approached the police in this regard. The police has submitted a report to the Magistrate concerned but he is not taking any action under Section 11.

(4) This petition is **disposed of** with a direction to the petitioner to make an appropriate application to the S.D.M. Tehsil Jaisinghpur, District Sultanpur, in the Prescribed Format, for him to take action. If such an application is made **within ten days from today** then the S.D.M. shall issue notice and then act strictly in accordance with law.

Order Date :- 8.12.2023

N.PAL