

Court No. - 6

Case :- MATTERS UNDER ARTICLE 227 No. - 4223 of 2023

Petitioner :- Land Management Committee, Vill. Gopal Rai Pur, Sultanpur Thru. Arvind Kumar, Member Panchayat

Respondent :- Civil Judge, Junior Division, South, Court No. 24, Ditt. Sultanpur And 3 Others

Counsel for Petitioner :- Ashish Kumar Singh, Mohan Singh

Counsel for Respondent :- C.S.C.

Hon'ble Rajnish Kumar, J.

Supplementary affidavit filed by the learned counsel for the petitioner is taken on record.

Shri Mohan Singh, learned counsel for the petitioner submits that the respondent no.4 has filed Original Suit No.625 of 2021 for permanent injunction on a portion of Gata No.83, on which she has made encroachment because the said land is reserved for Panchayat Bhawan. He further submits that the respondent no.4 is the daughter-in-law of ex-Pradhan, on whose proposal the part of the Panchayat Bhawan has been constructed on the land in dispute, in which the respondent no.4 has made encroachment. The petitioner has filed written statement in the suit but the suit is not proceeding and illegal encroachment is continuing on the land of Panchayat Bhawan, therefore there is urgency in the matter and the suit may be directed to be decided within some short stipulated period. To which there is no objection by the learned Standing Counsel, who is appearing for the respondent no.2. The respondent no.1 is the court concerned.

Considering the nature of the order proposed to be passed, the requirement of issuance of notice to the respondent nos.3 and 4 is dispensed with.

Without entering into the merit of the case, this petition is **disposed of** with liberty to the petitioner to move appropriate application for expeditious disposal of the Original Suit No.625 of 2021 showing urgency. In case any such application is moved within a period of ten days from today, the same shall be considered by the concerned court and appropriate order shall be passed within a further period of two weeks and the court shall proceed accordingly as per law.

(Rajnish Kumar, J.)

Order Date :- 7.12.2023 / Haseen U.