

Court No. - 3

Case :- WRIT - C No. - 7252 of 2023

Petitioner :- Israr Khan

Respondent :- State Of U.P. Thru. Prin. Secy. Deptt. Of Revenue Civil Sectt. Lko. And 6 Others

Counsel for Petitioner :- Salik Ram Tiwari, Sanjeev Kumar Dwivedi

Counsel for Respondent :- C.S.C., Pankaj Gupta

Hon'ble Vivek Chaudhary, J.

Hon'ble Manish Kumar, J.

1. Heard learned counsel for the parties.

2. Petitioner has approached this Court for the following reliefs:-

"(i) issue a writ, order or direction in the nature of mandamus commanding the opposite party no. 3 to get demarcated the land in question Gata No. 171/0.016 hectare situated at Village- Chhitpalgarh, Pargana- Sadar, Tehsil- Raniganj, District Pratapgarh (recorded as Naveen Parti in revenue record) after constituting a revenue ream, in presence of petitioner and his counsel.

(ii) issue a writ, order or direction in the nature of mandamus directing the opposite party No. 3 & 4 to take any action in respect of land in question i.e. Gata No. 171/0.016 hectare situated at Village- Chhitpalgarh, Pargana- Sadar, Tehsil- Raniganj, District Pratapgarh (recorded as Naveen Parti in revenue record) after providing an opportunity of hearing to the petitioner."

3. Admittedly, Gata No. 171 does not belong to the petitioner and he only owns plot no. 39 which is an abadi land therefore Gata No. 171 is recorded as Naveen Parti land belonging to the State. There is also a dispute as to the limits of plot no. 39 and Gata No. 171. Therefore this Court is not inclined to exercise its discretionary jurisdiction with regard to the disputed question of facts.

4. In view of above, the present writ petition is consigned to record with liberty to the petitioner to approach the appropriate court/authority.

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

Order Date :- 27.10.2023

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