

Court No. - 3

Case :- WRIT - C No. - 7514 of 2023

Petitioner :- Rakesh Kumar And Others

Respondent :- Union Of India Thru. Secy. Ministry Of Road Transport Highways Govt. Of India, New Delhi And Others

Counsel for Petitioner :- Anjani Kumar Dvivedi

Counsel for Respondent :- A.S.G.I.,C.S.C.,Gantavya,Sarvesh Kumar Dubey

Hon'ble Vivek Chaudhary,J.

Hon'ble Manish Kumar,J.

Heard Shri Anjani Kumar Dvivedi, learned counsel for the petitioners and Shri Arjun Kumar Kaushal, learned counsel for the petitioners in Writ C No. 7167 of 2023, which was disposed of by this Court vide its order dated 22.08.2023 with regard to the same property and learned Standing Counsel as well as learned counsel for the N.H.A.I.

Admittedly, there is a dispute with regard to the title suit of a property acquired by the N.H.A. I. The village has meanwhile come under consolidation proceedings and consolidation proceedings with regard to the same are underway, thus, the said title dispute can now only be decided in the said consolidation proceedings.

Learned counsel for the petitioners in both the petitions accept that they shall approach the court concerned, which shall decide the title suit between the parties. The Prescribed Authority/Sub Divisional Magistrate, Tehsil Musafirkhana, District Amethi shall thereafter proceed and decide the claim filed before him under Section 3 (H) (2) of National Highways Act in accordance with the orders passed in the consolidation proceedings.

The order dated 22.08.2023 in Writ C No. 7167 of 2023 shall also be treated to be amended in aforesaid terms.

Writ petition is disposed of.

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

Order Date :- 10.10.2023

Ashish