

Court No. - 3

Case :- WRIT - C No. - 8484 of 2023

Petitioner :- Bahuuddeshiya Prathmik Gramin Sahkari Samiti (B-Pacs) Ltd. Thru. Accountant Mr. Satish Singh

Respondent :- State Of U.P. Thru. Addl. Chief Secy. Revenue Deptt. U.P. Govt. Lko. And Others

Counsel for Petitioner :- Vivek Kumar Verma, Shalini Gupta

Counsel for Respondent :- C.S.C., Dilip Kumar Pandey

Hon'ble Vivek Chaudhary, J.

Hon'ble Manish Kumar, J.

Heard learned counsel for the parties and perused the record.

Petitioners have approached this Court claiming the ownership of the land on the basis of gift-deed executed by the Gram Pradhan in the year 1981.

Admittedly, the land is Bunjar and is recorded as government land and thus, Gram Pradhan never had any authority to issue gift-deed to the petitioner society. Hence, the title of the petitioner with regard to the property involved is highly disputed.

Learned counsel for the petitioner, thereafter submits that the petitioners are having the possession of the said land since last 40 years. The same is also disputed by the State as State claims that it is a Bunjar land and in possession of Gaon Sabha.

Since the disputed question of facts are involved, this court do no inclined to exercise its discretionary jurisdiction under Article 226 of the Constitution of India in the present writ petition with liberty to the petitioners to approach appropriate Court / forum/ authority.

The writ petition is consigned to record.

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

Order Date :- 3.11.2023

S. Kumar