

Court No. - 6

Case :- MATTERS UNDER ARTICLE 227 No. - 5149 of 2023

Petitioner :- Vinod Kumar Yadav

Respondent :- State Of U.P. Thru. Prin. Secy. Home Lko. And
3 Others

Counsel for Petitioner :- Udai Bhan Pandey

Counsel for Respondent :- C.S.C.

Hon'ble Rajnish Kumar,J.

1. Heard Sri Udai Bhan Pandey learned counsel for the petitioner and learned Standing counsel.
2. Submission of learned counsel for the petitioner is that the petitioner has filed the suit for cancellation of sale deed and permanent injunction made by the opposite party no.3 to 4, who are defendant nos.1 and 2 in Regular Suit no.2873 of 2021 filed by the petitioner.
3. The suit was filed on the ground that the boundaries of the land in dispute have wrongly been shown in the sale deed made by the opposite party no.3 to 4. The opposite party no.3 has filed written statement, admitting this fact. The written statement was filed on 01.10.2022 but since the respondent no.4 is not filing the written statement before the concerned court, the case is not proceeding on account of which the petitioner is suffering, therefore, there is urgency in the matter.
4. Considering the nature of order proposed to be passed by this Court, issuance of notices to opposite party nos. 2 to 4 is dispensed with.
5. The petition is **disposed of** with liberty to the petitioner to move an application for expeditious disposal before concerned Court showing urgency. In case, such an application is moved before the next date of listing which is said to be 27.10.2023, the concerned court shall consider the same in accordance with law and pass appropriate orders within a period of two weeks, thereafter, and proceed accordingly.

(Rajnish Kumar,J.)

Order Date :- 11.10.2023

Harshita