

Court No. - 3

Case :- WRIT - C No. - 8769 of 2023

Petitioner :- Maikin And Another

Respondent :- State Of U.P. Thru. Distt. Magistrate ,
Hardoi And Others

Counsel for Petitioner :- Vinay Kumar Singh

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

Hon'ble Vivek Chaudhary, J.

Hon'ble Manish Kumar, J.

Heard learned counsel for the petitioners, learned Standing Counsel for the State and Sri Dilip Kumar Pandey, learned counsel for the respondent no. 4.

The present writ petition has been preferred by the petitioners with the following main relief:-

"(i) issue a writ, order or direction in the nature of mandamus thereby commanding the opposite parties, specially to the opposite party no. 4 not to create obstruction, nuisance or hindrance in making construction of houses of the petitioners over the land Khasra no. 768 and 769 situated at village Kirla, Tehsil Sandila District Hardoi having one biswa each which was allotted by the village Pradhan in the year 2003, in the interest of justice."

Learned Additional Chief Standing Counsel on instructions states that so far as *Khasra* No. 768 is concerned, the same is *abadi* land and is not under any dispute but *Khasra* no. 769 is *parti* land on which petitioners have unauthorizedly occupied. Proceedings under Section 67(1) of the U.P. Revenue Code, 2006 for eviction of petitioners from the said *khasra* No. 769 are already initiated. The said proceedings are numbered as T202310330410633, T202310330410634.

In the aforesaid circumstances, petitioners are permitted to put in his appearance in the aforesaid proceedings under Section 67(1) of the U.P. Revenue Code, 2006.

The respondent-State Authorities shall take action on the basis of final order passed in the said proceedings.

With the aforesaid, writ petition stands disposed of.

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

Order Date :- 11.10.2023

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