

Court No. - 3

Case :- WRIT - C No. - 9202 of 2023

Petitioner :- Mohd. Shamim And Another

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

Counsel for Petitioner :- Abdul Alim Khan

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

Hon'ble Vivek Chaudhary, J.

Hon'ble Manish Kumar, J.

Heard learned counsel for parties.

The present writ petition has been preferred by the petitioners seeking direction in the nature of mandamus commanding the opposite parties not to construct the road on the Bhumidhari land of petitioners pertaining to Gata No. 201 Min area 0.1900 hectare, and Gata No. 688 min. area 0.0380 and 0.02280 situated at village Chandraura, H/o Adaura, Pargana-Auras, Tehsil Hasanganj, District Unnao.

Learned Standing Counsel and counsel for the Gram Sabha submit that the matter can only be decided under Section 24 of U.P. Revenue Code, 2006 by demarcating the boundaries of land of petitioner.

In view thereof, present writ petition is disposed of, permitting the petitioner to move an application under Section 24 of U.P. Revenue Code, 2006 before the competent authority. In case such an application is moved by petitioner within a period of two weeks from today, the Sub Divisional Magistrate concerned shall proceed and decide the same by a reasoned and speaking order in accordance with law after hearing all parties concerned positively within a period of six weeks from the date such an application along with a certified copy of this order is moved before him.

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

Order Date :- 19.10.2023

Nitesh