

Court No. - 3

Case :- WRIT - C No. - 9692 of 2023

Petitioner :- Ram Ujagir

Respondent :- State Of U.P. Thru. Prin. Secy Panchayatiraj
Civil Sectt. Lko. And 8 Others

Counsel for Petitioner :- Ashok Kumar Yadava, Ashwani
Kumar Singh

Counsel for Respondent :- C.S.C., Mohan Singh

Hon'ble Vivek Chaudhary, J.

Hon'ble Manish Kumar, J.

1. Heard learned counsel for the petitioners and learned Standing Counsel for the State respondents.

2. Present writ petition has been filed with the following main relief:-

"I. to issue a writ, order or direction in the nature of mandamus commanding the opposite parties to not construct C.C. Road upon the petitioner's land Gata No. 144 and 145 situated at Village Badhiyani Kala, Pargana Bidhar, Tehsil Tanda, District-Ambedkar Nagar.

II. to issue a writ, order or direction in the nature of mandamus commanding the opposite parties to construct the C.C. Road over the land reserved for Chakraod i.e. Gata No. 144/451 situated at Village Badhiyani Kala, Pargana Bidhar, Tehsil Tanda, District-Ambedkar Nagar."

3. Petition is disposed of with liberty to the petitioner to file an application for demarcation of his land before the respondent no. 4-Sub Divisional Magistrate, Tanda, District-Ambedkar nagar within a period of two weeks from today. In case petitioner files such an application under Section 24 of the U.P. Land Revenue Code, 2006 before the respondent no.4, the respondent no.4 shall proceed and decide the same on the basis of proper survey report and shall take the matter to its logical conclusion in accordance with law by a reasoned and speaking order after hearing all the concerned parties, within a period of six weeks from the date a certified copy of this order along with the application for demarcation is placed before him.

4. With the aforesaid direction, the writ petition is ***disposed of***. It shall also be open for the petitioner in case there is any urgency to file any stay application in the said proceedings, which shall be considered and decided by the appropriate authority as expeditiously as possible.

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

Order Date :- 6.11.2023

-Amit K-