

Court No. - 3

Case :- WRIT - C No. - 9755 of 2023

Petitioner :- Kadile

Respondent :- State Of U.P. Thru. Distt. Magistrate Hardoi And 3 Others

Counsel for Petitioner :- Arunendra Nath Mishra

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 and learned Standing Counsel for the State respondents.

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

"(i) Issue a writ, order or direction in the nature of mandamus commanding the opposite party No. 01 & 02, to consider and decide the representation dated 18/10/2023 given to the opposite party No. 01 to 02, by the petitioner and other co-shareholder, contained as Annexure No. 01 with this writ petition.

" (ii) Issue a writ, order or direction in the nature of mandamus commanding the opposite party No. 03 & 04, not to evict on the land (Bag) of Gata No. 467/0.045 hec. to the petitioner and his co-shareholder Surajpal, situated in Gram Panchayat- Dhaprapur, Pargana- Gopamau, Tehsil- Sadar, District Hardoi till the pendency of his representation dated 18/10/2023 given to the opposite party no. 01 to 02, by the petitioner and other co-shareholder, contained as Annexure No. 01 with this writ petition."

The petitioners has liberty to get his land demarcated in proceeding under Section 24 of the U.P. Land Revenue Code, 2006, which only can prove that the land of the petitioner is impacted or not.

In view of the aforesaid, it is provided that in case petitioner files an application for demarcation under Section 24 of the U.P. Land Revenue Code, 2006 before the Sub Divisional Officer concerned within a period of two weeks from today, the respondent no. 3 shall proceed and decide the same on the basis of 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.

With the aforesaid direction, the writ petition is disposed of.

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

Order Date :- 7.11.2023

Nitesh