

Court No. - 1

Case :- WRIT - C No. - 10396 of 2023

Petitioner :- Kanhaiya Lal Alias Kandhai And 13 Others

Respondent :- State Of U.P. Thru. Prin. Secy. Revenue Civil Sectt. Lko
And 3 Others

Counsel for Petitioner :- Vijay Kumar

Counsel for Respondent :- C.S.C., Pankaj Gupta

Hon'ble Attau Rahman Masoodi, J.

Hon'ble Om Prakash Shukla, J.

1. Heard learned counsel for the parties.
2. It appears that patta was granted in favour of the petitioners in respect of the ceiling land. The proceedings under the Ceiling Act are itself subjudice before this Court in W.P.No.951 of 1986 and the review application arising therefrom i.e. Review Application No.49 of 1998, an order of status-quo is operating.
3. During pendency of any such proceedings wherein an order of status-quo has been passed, the prayer for delivering possession of the patta land to the petitioners cannot be entertained in writ proceedings.
4. The right of the petitioners on the basis of patta granted in their favour is dependent upon the outcome of review application and unless the same is decided, no relief can be granted as has been prayed for.
5. In case, land is available with the Gaon Sabha and the petitioners are eligible otherwise, they may be considered for grant of patta as may be permissible under law.
6. The writ petition is accordingly disposed of.

Order Date :- 29.11.2023

Shahnaz