

Court No. - 3

Case :- WRIT - C No. - 9798 of 2023

Petitioner :- Parmarth Kala

Respondent :- State Of U.P. Thru. Prin. Secy.
Revenue, Lucknow And Others

Counsel for Petitioner :- Bal Krishna Shukla

Counsel for Respondent :- C.S.C.

Hon'ble Vivek Chaudhary,J.

Hon'ble Manish Kumar,J.

Heard learned counsel for the petitioner and the learned Standing Counsel.

Petitioner has approached this Court challenging the order dated 18.07.2023 whereby the petitioner has been evicted from the land bearing Gata No. 185 situated at Baag Vijeshi Shahar, Ayodhya by the Incharge, Fire Station, Police Line, Ayodhya as the said land being a Nazul land is allotted to the Fire Station.

Petitioner has approached this Court challenging the said order, claiming that he was granted a lease for agricultural purposes of the said Nazul land on 1.6.1966 and therefore he has a right over the said land.

Learned Standing Counsel points out that Clause-1 of the said lease itself provides that the same was leased for a period of 18 years and also provides the date the petitioner can hold possession till the 1390 Fasli. Clause-3 of the said lease also provides that State shall always have a right to take possession of the same or oust the lessee from the possession of the same and the lessee has no right for compensation. The said period of 18 years has already expired. There is nothing on record to show that the said lease has ever been extended. Thus, the petitioner's right has expired with regard to the said land on the expiry of the said lease. The land being the Nazul land has always remained the property of the State and now the petitioner could not show that he has any

right to hold possession over the same. Thus, the petitioner has no right over the property in question.

In view of the aforesaid, no case for interference is made out.

The writ petition is **dismissed**.

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

Order Date :- 9.11.2023

Arjun/-