

Court No. - 3

Case :- WRIT - C No. - 9869 of 2023

Petitioner :- Pramod Kumar

Respondent :- State Of U.P. Thru. Addl. Prin. Secy.
Revenue Civil Sectt. Lko And 6 Others

Counsel for Petitioner :- Swatantra Lata Yadav

Counsel for Respondent :- C.S.C.

Hon'ble Vivek Chaudhary,J.

Hon'ble Manish Kumar,J.

Heard learned counsel for the parties.

Present writ petition has been preferred by the petitioner seeking direction to the opposite parties especially opposite party no. 1 to 5 to take appropriate action under law against opposite party nos. 6 & 7 to remove encroachment from the public path/way of the petitioner at village Panchayat Nibhapurwa, Hemlet of Jhaluamaun, Tehsil Ramnagar, District Barabanki.

Learned Standing Counsel states that petitioner has a remedy to move an application under Section 26 of U.P. Revenue Code, 2006, for the said relief.

In view thereof, present writ petition is disposed of permitting the petitioner to move an application under Section 26 of U.P. Revenue Code, 2006 before the respondent no.3/Sub Divisional Magistrate, Tehsil Ram Nagar, District Barabanki.

In case such an application is moved by petitioner, the Sub Divisional Magistrate, Tehsil Ram Nagar, District Barabanki shall proceed and decide the same by a reasoned and speaking order in accordance with law after hearing all parties concerned within a period of three months from the date such an application along with a certified copy of this order is placed before him.

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

Order Date :- 8.11.2023

Nitesh