

Court No. - 3

Case :- WRIT - C No. - 10261 of 2023

Petitioner :- Prem Prakash And Ors.

Respondent :- State Of U.P. Thru Secy. Public Development Deptt. Lko And Ors.

Counsel for Petitioner :- Devendra Pratap, Shashank Shekhar Singh

Counsel for Respondent :- C.S.C.

Hon'ble Vivek Chaudhary, J.

Hon'ble Manish Kumar, J.

Heard learned counsel for the parties.

Petitioners have approached this Court claiming that they are landlords of Gata No.222, area 0.1608 hectare and Gata No.215, area 0.0800 hectare and Gata No.213, area 0.2597 hectare situated at village Saresar, Pargana Katiyari, Tehsil Savayazpur, District Hardoi and the opposite parties without paying compensation have constructed road on the land of petitioners.

In the given facts and circumstances, learned counsel for petitioners submits that grievance of petitioner would be substantially met in case application under Section 24 of U.P. Revenue Code, 2006 of petitioners for demarcation of land bearing Gata No.222, area 0.1608 hectare and Gata No.215, area 0.0800 hectare and Gata No.213, area 0.2597 hectare situated at village Saresar, Pargana Katiyari, Tehsil Savayazpur, District Hardoi, is considered and decided in a time bound manner.

Learned Standing Counsel has no objection to the same.

In view thereof, petitioners are permitted to make a fresh detailed application under Section 24 of the U.P. Revenue Code, 2006 before the respondent no.3/S.D.M., Tehsil Savayazpur, District Hardoi, raising all their grievance, annexing therewith a copy of this writ petition along with annexures and all the documents in support of his claim within a period of two weeks from today along with a certified copy of this order.

In case such an application is moved by petitioners, the respondent no.3/S.D.M., Tehsil Savayazpur, District Hardoi, shall consider and decide the same in accordance with law, by a reasoned and speaking order, after hearing all the parties concerned and after proper survey, within a period of six weeks

from the date a certified copy of this order along with the said application is placed before him.

It is made clear that this court has not applied itself on the merits of the case and all questions are left open to be considered and decided by the competent authority in accordance with law.

With the aforesaid directions, present writ petition is disposed of.

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

Order Date :- 23.11.2023

Arjun/-