

Court No. - 10

Case :- CRIMINAL MISC. WRIT PETITION No. - 9839 of 2023

Petitioner :- Santosh Kumar Singh

Respondent :- State Of U.P. Thru.Addl. Chief Secy. Deptt. Of Home And Others

Counsel for Petitioner :- Amar Nath Dubey, Anil Kumar Yadav

Counsel for Respondent :- C.S.C.

Hon'ble Mrs. Sangeeta Chandra,J.

Hon'ble Karunesh Singh Pawar,J.

Heard learned counsel for the petitioner and learned A.G.A. for the State.

This petition has been filed with the following main prayer:-

"issue a writ, order or direction in the nature of MANDAMUS commanding the opposite party No.3 i.e. District Magistrate, Pratapgarh to take decision on the application of the petitioner dated 16.3.2023 as contained in Annexure No.2 to the writ petition."

It has been submitted by learned counsel for the petitioner that some land which was initially recorded in the name of Pudai Singh S/o Arjun Singh, has been sold off on the basis of the forged documents and the petitioner has moved an application before the Commissioner, Prayagraj Mandal, Prayagraj on 16.03.2023 and the Commissioner, Prayagraj Mandal, has directed the District Magistrate Prayagraj to look into the matter and take appropriate steps after enquiry. A copy of such representation has been filed as annexure-2 to the writ petition.

It has been submitted that, in pursuance of the order of the Commissioner, Prayagraj Mandal, no steps have been taken by the District Magistrate concerned.

Learned A.G.A. has produced before this Court instructions sent by Sri Vivek Kumar Yadav, Sub Inspector, P.S. Maheshganj, District Pratapgarh, wherein it has been submitted that there was a

dispute between Santosh Kumar Singh, Ashish Kumar Singh, Samar Bahadur Singh, as a result whereof the Police had reached the spot and had challaned both the parties under Section 107/116 Cr.P.C. on 22.11.2023. It has been stated by the Sub Inspector that the dispute is with regard to the Revenue Department. The Police had only reached the spot on a request for maintaining the public order.

The writ petition is ***disposed of*** with a direction to the petitioner to approach the appropriate Forum, in case some fraudulent sale deed has been made out by the private respondent.

Order Date :- 22.12.2023
Rahul