

Court No. - 19

Case :- WRIT - C No. - 10491 of 2023

Petitioner :- Foolchanda

Respondent :- State Of U.P. Thru. Prin. Secy. Revenue U.P.
Lko. And 4 Others

Counsel for Petitioner :- Ashutosh Dhar Dubey

Counsel for Respondent :- C.S.C.,Mohan Singh

Hon'ble Jaspreet Singh,J.

Heard Shri Ashutosh Dhar Dubey, learned counsel for the petitioner. Notice on behalf of the respondents No.1 to 4 has been accepted by the office of Chief Standing Counsel. Shri Mohan Singh, learned counsel has accepted notice for the respondent No.5.

The petitioner has approached this Court seeking a relief of mandamus commanding the respondent No.5 not to construct Panchayat Bhawan over the land bearing Gata No.1088 and 1019 situate in Village Pandokiya, Pargana Khandasa, Tehsil Milkipur, District Ayodhya.

In Para-6 and 7, it is stated by the petitioner that he has a poor landless labour belonged to Scheduled Castes Category and he does not have any land over which he build a house and though he has been residing on the Land bearing No.1088 and 1019 by keeping thatched structure.

In the aforesaid circumstances, the resolution to construct a Panchayat Bhawan over the said plot may be deferred and a direction may be issued that the petitioner may be considered in terms of Section 67(A) of the U.P. Revenue Code, 2006.

Learned standing counsel has pointed out that they have specific written instructions under the signatures of Lekhpal, Revenue Inspector and the Tehsildar wherein it is stated that the petitioner has already have a land over the Plot No.838 over which he has got his residential house and residing therein.

At this stage, the Court required the learned counsel for the petitioner to state regarding this fact which has come in the written instructions of the learned standing counsel under the signatures of revenue authorities.

At this stage, learned counsel for the petitioner submits that he

may be permitted to withdraw the petition.

In light of the aforesaid, since the petitioner does not wish to press the petition, it is accordingly dismissed as not pressed. However, a note of caution is sounded that the petitioner must come with clean hands and any concealment if found, appropriate action can be initiated, however, since the petitioner does not press the petition, hence, no further orders in this regard has been passed.

Order Date :- 2.12.2023

Rakesh/-