

Court No. - 3

Case :- WRIT - C No. - 10911 of 2023

Petitioner :- Krishna Kumar Gupta

Respondent :- State Of U.P. Thru. Addl. Chief Secy. Revenue Lucknow And 3 Others

Counsel for Petitioner :- Suresh Sharma

Counsel for Respondent :- C.S.C.

Hon'ble Vivek Chaudhary,J.

Hon'ble Manish Kumar,J.

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

The petitioner has approached this Court claiming that the order was passed on 04.10.2018 under Section 41 of the U.P. Land Revenue Act and hence demarcation of land Gata No.818 situated in village Saukhiya, Pargana Kukara, Tehsil Gola, District Kheri should be conducted as per rules.

Learned Standing Counsel states that the said order is five years old and there may be rights of new person involved in the same. Hence, fresh proceedings under Section 24 of the U.P. Revenue Code, 2006 should be conducted.

In the given facts and circumstances, liberty is granted to the petitioner to file a fresh application for demarcation of his land under Section 24 of the U.P. Revenue Code, 2006 before the respondent No.3 i.e. Sub Divisional Magistrate, Tehsil Gola, District Kheri, along with a certified copy of this order within a period of two weeks from today.

In case such an application under Section 24 of the U.P. Revenue Code, 2006 is filed, respondent no.3 shall proceed and decide the same on the basis of a proper survey report and shall taken the matter to its logical conclusion including fixation of pillars, in accordance with law, after hearing all parties concerned, by a reasoned and speaking order within a period of 90 days from the date a certified copy of this order along with the application for demarcation of land 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 :- 15.12.2023

Manoj K.