

Court No. - 3

Case :- WRIT - C No. - 10959 of 2023

Petitioner :- Ashok Kumar Tiwari

Respondent :- State Of U.P. Thru. Prin. Secy. Revenue Development Lko. And 3 Others

Counsel for Petitioner :- Onkar Pandey

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

Hon'ble Vivek Chaudhary, J.

Hon'ble Manish Kumar, J.

1. Heard learned counsel for parties.
2. Petitioner has approached this Court for the following main reliefs:

"I. Issue a writ order or direction in the nature of Mandamus Commanding the opp. Party no.2 to permit the petitioner for cutting of the trees eucalyptus standing with bhumidhari land Gata No.673 in Village- Parwar, Hathigo, Tehsil Bikapur, District Faizabad now Ayodhya, in accordance with the provisions contained in section 58 of the U Revenue Code as well as reports submitted by the Revenue Authorities time to time.

II. Issue a writ order or direction in the nature of Mandamus Commanding the opposite parties concerned to take decision for shifting of Chak Marg over Gata No.674 in place of Gata No.673, which was wrongly constructed over Gata No.673 (Bhumadhari Land of the petitioner) in place of Gata No.674 (which is recorded originally as Chak Marg) in Village-Parwar, Hathigo, Tehsil Bikapur, District Faizabad now Ayodhya."

3. Learned Standing Counsel states that the said dispute can be decided under Section 24 of U.P. Revenue Code, 2006 by demarcating the boundaries of plot of petitioner bearing Gata no.673 situated at Village Parwar, Hathigo, Tehsil Bikapur, District Faizabad now Ayodhya, and also by effecting possession in case petitioner is found ousted from the land in question.

4. In view thereof, present writ petition is ***disposed of***, permitting the petitioner to move an application under Section 24 of U.P. Revenue Code, 2006 before the competent authority for demarcation of his land bearing Gata no.673 situated at Village Parwar, Hathigo, Tehsil Bikapur, District Faizabad now

Ayodhya. In case such an application is moved by petitioner within a period of two weeks from today, the Sub Divisional Magistrate concerned 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 two months from the date such an application along with a certified copy of this order is moved before him. He shall also ensure that proceedings are taken to their logical conclusion within the aforesaid period.

[Manish Kumar,J.] [Vivek Chaudhary,J.]

Order Date :- 19.12.2023

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