

Court No. - 3

Case :- WRIT - C No. - 10980 of 2023

Petitioner :- Swami Dayal And Another

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

Counsel for Petitioner :- Pramod Shukla

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

Hon'ble Vivek Chaudhary, J.

Hon'ble Manish Kumar, J.

Heard learned counsel for the parties and gone through the record.

Petitioner has approached this Court claiming that petitioner is the owner of land Gata No.953 having an area of 0.3180 hectare, situated in village Pure Niranjana, Village Panchayat Sansarpur, Pargana Jagdishpur, Tehsil Musafirkhana, District Amethi on which a water tank is being constructed by the respondent-Gram Sabha.

Learned Standing Counsel and counsel for the Gram Sabha dispute the said fact and state that the water tank is being constructed on 671 da, which is a Banjar land and belongs to State/Gram Sabha.

In view of above, the writ petition is disposed of with a direction to the petitioner to move an application under Section 24 of the U.P. Revenue Code, 2006 before the Sub-Divisional Magistrate, Tehsil Musafirkhana, District Amethi. In case such an application is filed by the petitioner, the Sub-Divisional Magistrate concerned shall proceed to get the proceedings concluded in accordance with law after hearing all the parties concerned and by making a proper survey within a period of six weeks from the date of receipt/production of certified copy of this order.

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

Order Date :- 16.12.2023

Manoj K.