

Court No. - 3

Case :- WRIT - C No. - 10952 of 2023

Petitioner :- Panna Lal

Respondent :- State Of U.P. Thru. Prin. Secy. Revenue U.P.
Govt. Civil Sectt. Lko And Others

Counsel for Petitioner :- Rajesh Kumar

Counsel for Respondent :- C.S.C.,Sudhir Kumar Singh

Hon'ble Vivek Chaudhary,J.

Hon'ble Manish Kumar,J.

Heard learned counsel for the petitioner, learned Standing Counsel and Shri Sudhir Kumar Singh, learned counsel for the respondent no. 6.

Petitioner has approached this Court challenging the order dated 17.11.2023 issued by the respondent no. 3 i.e. Sub Divisional Magistrate, Tehsil Alapur, District Ambedkar Nagar whereby a show notice was given to the petitioner that he has raised certain construction against the order passed under U.P. Revenue Code, 2006, hence the same should be removed.

It appears that petitioner has also submitted his reply and today, learned Standing Counsel has placed before this Court a copy of letter dated 08.12.2023 passed by Sub Divisional Officer, Aalapur, Ambedkar Nagar whereby objections of the petitioner are rejected and order is passed to remove the construction raised by the petitioner in violation of order of the Court .

Learned Standing Counsel raises a preliminary objection that impugned order is passed by the Sub Divisional Magistrate, Tehsil Alapur, District Ambedkar Nagar under the Code, 2006 hence, petitioner has sufficient alternative remedy to file an appeal/revision before appropriate Court/forum.

Learned counsel for the petitioner prays to withdraw the present petition with liberty to approach the appropriate authority/Court.

It is expected that in case petitioner files any proceedings or stay application, the same shall be considered expeditiously.

With the aforesaid liberty, petition is consigned to record.

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

Order Date :- 14.12.2023/Ashish