

Court No. - 2

Case :- WRIT - C No. - 5542 of 2024

Petitioner :- Jhagroo And 6 Others

Respondent :- State Of U.P. Thru. Prin. Secy. Revenue Lko.
And 16 Others

Counsel for Petitioner :- Dinesh Chandra Tewari

Counsel for Respondent :- C.S.C., Pankaj Gupta

Hon'ble Alok Mathur, J.

Hon'ble Arun Kumar Singh Deshwal, J.

1. Heard Sri D.C. Tewari, learned counsel for petitioner as well as learned Standing Counsel for respondent Nos. 1 to 4 and Sri Pankaj Gupta, learned counsel for respondent No. 5.

2. In light of the proposed order, notices to private respondents are dispensed with.

3. Present dispute pertains to Gata No. 301M situated at Village Mahru Murtiha, Tehsil - Jamunaha, District Shravasti, the patta which was granted in favour of petitioner in the year 2000 and subsequently the petitioners were declared as Bhumidhar in 2019.

4. The grievance raised by the petitioners by means of present writ petition is that the land which was allotted in favour of petitioners were declared to be surplus under the provisions of Imposition of Ceilings on Land Holding Act, 1960. The recorded tenure holder of the said land have filed a writ petition before this Court being Writ C No. 3000096 of 2002 where it has been clarified by this Court by means of order dated 29.05.2023 that no stay order has been granted in favour of petitioners and despite the aforesaid order, the possession of the said land has not been given to the petitioners.

5. Learned counsel for petitioners has submitted that the grievance of the petitioners shall be substantially redressed in case competent authority is directed to hand over the possession of the said land to the petitioners and decide their representation accordingly.

6. Learned counsel for respondents does not object to the said limited prayer made by learned counsel for petitioners.

7. Accordingly, the writ petition is **disposed of** with the direction to respondent No. 3/Assistant Collector / Sub Divisional Officer, Jamunah, District - Shravasti to consider and

decide the representation of the petitioner dated 09.05.2024 (Annexure No. 5) in accordance with law, expeditiously, say within a period of six weeks from the date a certified copy of this order is produced before him.

(Arun Kumar Singh Deshwal,J.) (Alok Mathur, J.)
Order Date :- 26.6.2024
Ravi/