

Court No. - 4

Case :- MATTERS UNDER ARTICLE 227 No. - 2987 of 2024

Petitioner :- Pankaj Kumar

Respondent :- State Of U.P. Thru. Addl. Chief Secy., Deptt. Of Rural Development, Lucknow And Others

Counsel for Petitioner :- Saket Kumar Gupta

Counsel for Respondent :- C.S.C.

Hon'ble Subhash Chandra Sharma,J.

Heard learned counsel for the petitioner as well as learned C.S.C. and perused the material on record.

The present writ petition has been filed with prayer to issue a order or direction commanding/directing the opposite parties not to create any hindrance in peaceful living of petitioner and not to make any KHADANJA marg on the petitioner SAHAN land.

It is submitted by learned counsel for the petitioner that in this case a civil suit was filed on 27.05.2024 before the learned trial court regarding the property in dispute in which an application for temporary injunction 6C was also moved but without granting temporary injunction notices were issued to the opposite parties/defendants and 26.07.2024 was fixed for disposal so there is apprehension of making khadanja marg on the property in dispute, therefore, there is urgency in the matter.

Learned A.C.S.C. opposed the prayer as aforesaid and contended that in this case the petitioner has remedy available before the District Court.

Considering the facts and circumstances of the case, submissions made by learned counsel for both the parties, it is expedient to direct the petitioner to move an application for urgency before the learned District Judge who will take necessary steps in this regard within a period of **two weeks**.

Accordingly, this petition is **disposed of** finally with the above direction.

Order Date :- 25.6.2024

Ashok Gupta