

Court No. - 2

Case :- WRIT - C No. - 10676 of 2024

Petitioner :- Mamata Singh

Respondent :- State Of U.P. Thru. Prin. Secy. Deptt. Of Revenue Lko.
U.P. And 13 Others

Counsel for Petitioner :- Ashish Kumar Singh, Shakeel Qureshi

Counsel for Respondent :- C.S.C.

Hon'ble Rajan Roy, J.

Hon'ble Brij Raj Singh, J.

1. Heard counsel for the petitioner and learned Standing Counsel for the State.
2. Considering the order proposed to be passed, issuance of notice to the private oppose parties is dispensed with.
3. The contention of petitioner's counsel in nutshell is that after initial withdrawal of the earlier order of demarcation under Section 24 on the objections of the private opposite parties, fresh order was passed and the pillars ear-marking the boundaries of the Gatas in question was also installed but thereafter the private opposite parties have demolished the demarcation marks and are interfering in the possession of the petitioner. An FIR has also been lodged at the instance of the SDM but inspite of it, the private opposite parties are interfering in the petitioner's possession.
4. We are of the opinion that the SDM concerned may consider proceedings under Sections 22 and 23, as the boundary marks have been damaged and take any further action as may be required, if Section 227 of the U.P. Revenue Code, 2006 is applicable against the concerned parties.
5. If the petitioner is still aggrieved, he can approach the Civil Court seeking an injunction or take recourse to such other proceedings as may be permissible in law. We make it clear that we have not adjudicated the rights, if any, of the private opposite parties.
6. The writ petition is disposed of.

Order Date :- 18.12.2024

Pks

[Brij Raj Singh, J.] [Rajan Roy, J.]