

Court No. - 2

Case :- WRIT - C No. - 10695 of 2024

Petitioner :- Shrinath Gupta

Respondent :- State Of U.P. Thru. Prin.Secy. Home And 8 Ors

Counsel for Petitioner :- Awanish Kumar Upadhyay

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

Hon'ble Rajan Roy,J.

Hon'ble Brij Raj Singh,J.

1. Heard.

2. Considering the order proposed to be passed issuance of notice to private opposite parties is dispensed with.

3. Petitioner alleges removal of demarcation marks put by the revenue authorities as a consequence of demarcation order under Section 24 of the U.P. Revenue Code, 2006 (in short 'the Code, 2006') by the private opposite parties herein and also that the application of the petitioner in this regard has not been taken cognizance by the S.D.M. or any other authority who may be competent in this regard nor any action has been initiated in terms of the Code, 2006.

4. Without entering into the merits of the issues, we **dispose of** this petition with a direction to opposite party no.3-Sub-Divisional Magistrate/ Officer, Kadipur, District-Sultanpur to consider the application of the petitioner in the light of the provisions contained in the Code, 2006 and if he finds that this is a matter where intervention is required under the Code, 2006 to restore the pillars etc based on any earlier order under Section 24 of the Code, 2006 then he shall do the needful. However, if he finds that dispute is of a different nature which may require some adjudication by any other court or forum then he shall inform the petitioner whereupon the petitioner may avail other remedies. Let this exercise be completed by the S.D.M. within six weeks. Needless to say that S.D.M. shall hear our the private opposite parties also before taking any action.

(Brij Raj Singh,J.) (Rajan Roy,J.)

Order Date :- 18.12.2024/Shanu/-