

Court No. - 19

Case :- WRIT - C No. - 10971 of 2024

Petitioner :- Smt. Anuradha Mishra

Respondent :- State Of U.P. Thru. The Prin. Secy. /Addl. Chief Secy. Secy. Revenue Deptt. And 7 Others

Counsel for Petitioner :- Mohd. Ali, Perwaiz Wahab Khan

Counsel for Respondent :- C.S.C.

Hon'ble Manish Mathur, J.

Heard learned counsel for petitioner, learned State Counsel for opposite parties no. 1 to 4. In view of order being passed, notice to opposite parties no. 5 to 8 stands dispensed with.

Petition has been filed seeking a direction to authority concerned to ensure demarcation of petitioner's land in Gata No. 1404a having an area 0.1660 hectare situated in Village Balrampur Dehat Pargana and Tehsil Balrampur District Balrampur expeditiously, with such proceedings being initiated vide order dated 13.07.2024 which are still pending consideration. Further prayer for direction to the authority concerned for taking prompt action regarding safeguarding of petitioner's property has also been sought.

Learned counsel for petitioner submits that aforesaid application for demarcation is pending consideration since the year 2017 and in the meantime another application by private opposite party no. 8 was filed and in which demarcation was done behind the back of petitioner due to which recall application was filed and has been rejected by means of order dated 11.11.2024.

It is submitted that the opposite parties are under an obligation to decide demarcation application of petitioner.

Learned State Counsel has submitted that petitioner's plot and the plot for which demarcation had earlier been ordered allegedly ex parte are adjoining plots and in case petitioner is aggrieved by order dated 11.11.2024, he has a remedy of challenging the same.

Considering submissions advanced by learned counsel for parties, it appears that demarcation application of petitioner is pending consideration since the year 2017.

In such circumstances, opposite party no. 3 i.e. Sub Divisional Officer Tehsil, City and District Balrampur is directed to consider and decide petitioner's application regarding demarcation of the gata indicated hereinabove expeditiously, preferably within a period of three weeks from the date a certified copy of this order is served upon the said authority.

With aforesaid directions, petition stands **disposed of**.

Order Date :- 19.12.2024

Satish