

Court No. - 2

Case :- WRIT - C No. - 5974 of 2025

Petitioner :- Dilip Kumar Maurya

Respondent :- State Of U.P. Thru. Prin. Secy. Revenue Lko.
And 4 Others

Counsel for Petitioner :- Rajesh Kumar Singh, Rohit Mishra

Counsel for Respondent :- C.S.C., Namit Sharma

Hon'ble Alok Mathur, J.

Hon'ble Arun Kumar Singh Deshwal, J.

1. Heard Sri Rajesh Kumar Singh, learned counsel for the petitioner, learned Standing Counsel appearing on behalf of respondents nos.1 to 4 and Sri K.K. Pandey, who has filed his Vakalatnama on behalf of respondent no.5 - Nagar Nigam, Lucknow.

2. It is submitted by counsel for the petitioner that the petitioner is permanent tenure holder of Gata No.1439/0.2400 hect., Gata No.1441/0.0630 hect and Gata No.1442/ 0.0760 hect. situated at Village Behsa (Bijnore), Tehsil Sarojini Nagar, Lucknow along with his other co-sharers. It has been further submitted that name of the petitioner and other co-sharers duly recorded in Khatauni for the Fasli Year 1429-1434.

3. Grievance raised by the petitioner in the present case is that the Nagar Nigam Lucknow is interfering in the peaceful possession of the said property on account of the fact that the neighbouring land has been illegally encroached by some persons and the said land is now being sought to be deducted from the holding of the petitioner. It has further been submitted that the petitioner has given various representations to the revenue authority and State authorities requesting them to demarcate the said land of the petitioner and in case, there is any excess land that may be taken from the petitioner but without demarcation, the Nagar Nigam Lucknow cannot interfere in the peaceful possession of the petitioner.

4. Counsel for the respondents have also submitted that the certain inspections were carried out and it is undisputed that in Gata Nos. 1421 and 1422 in the aforesaid village, the land has been illegally encroached by certain person and also they did not dispute the fact that the present dispute can be resolved after demarcation of the plot of the petitioner.

5. Accordingly, with the consent of learned counsel for the parties, the petition is being **disposed of** with a direction to the Sub-Divisional Magistrate, Tehsil Sarojini Nagar, District Lucknow to demarcate the plot of the petitioner i.e Gata No.1439, Gata No.1441 and Gata No.1442 situated at Village Behsa (Bijnore), Tehsil Sarojini Nagar, Lucknow. He shall depute a team of Revenue Officers to conduct demarcation and the officials of the respondent no.5 would also be at liberty to be associated with the said demarcation and shall also produce all the documents, which are with them, pertaining to the ownership of the land. Petitioner also undertakes to co-operate in the demarcation proceeding and produce all documents pertaining to the title before the said officials.

6. Let the said demarcation be concluded within three months from the date of production of a copy of this order before the Sub-Divisional Magistrate and the Sub-Divisional Magistrate shall pass appropriate orders within next three weeks thereafter on the report submitted to him. The parties are agreed to abide by the said order.

7. It is expected that the SDM shall follow the procedure prescribed under Section 24 of the U.P. Revenue Code, 2006.

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

Order Date :- 23.6.2025

A.Kr*

(Arun Kumar Singh Deshwal, J.) (Alok Mathur, J.)