

Court No. - 2

Case :- WRIT - C No. - 6166 of 2025

Petitioner :- Sita Ram

Respondent :- State Of U.P. Thru. Prin. Secy. Revenue Deptt. Lko. And 7 Others

Counsel for Petitioner :- Arvind Kumar Maurya, Kanchan, Pawan Verma

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

Hon'ble Alok Mathur, J.

Hon'ble Arun Kumar Singh Deshwal, J.

Heard Ms. Kanchan, learned counsel for the petitioner and learned Standing Counsel.

In view of the order proposed to be passed issuance of notice to private respondent stands dispensed with.

Petitioner has challenged the order dated 10.5.2025, passed by Tehsildar Jalalpur, District Ambedkar Nagar by which he has directed the Chairman of the Land Management Committee, Tehsil Jalalpur Ambedkar Nagar to be present on the date of auction of trees existing on gata no.241 which has been fixed as 25.5.2025.

Learned counsel for the petitioner submitted that, in fact, the trees which are being auctioned are standing on the land owned and possessed by the petitioner which is gata no.242 and not on the gata shown as chak marg namely gata no.241.

Accordingly, from the aforesaid facts it seems that there is a serious dispute pertaining to the demarcation of the adjacent plots of the petitioner and also on the plots on which the trees are standing. Accordingly, a prayer was made that the plots may be demarcated and in case trees are found to be existing on 'chak marg' respondents would be at liberty to proceed in accordance with law.

Learned Standing Counsel on the basis of instructions submits that few trees have already been cut pursuant to the impugned order dated 10.5.2025.

Accordingly, in the aforesaid circumstances, liberty is granted to the petitioner to move an application under section 24 of the U.P. Revenue Code, 2006 within seven days from today. In case such an application is made the same shall be considered and decided with expedition in accordance with law. Till decision is taken on the application under section 24 of the U.P. Revenue Code, 2006 the respondents shall be restrained from auctioning and cutting the standing trees as per the impugned order dated 10.5.2025. Petitioner further undertakes to cooperate in the said proceedings. It is further made clear that in case application under section 24 of U.P. Revenue Code, 2006 is not made within time prescribed by this Court, benefit of this order shall not be available to the petitioner.

Till the decision of the competent authority on the application of the petitioner under section 24 of U.P. Revenue Code, 2006 is passed, the

respondents are restrained from cutting any further trees.

Office of Chief Standing Counsel is directed forthwith to communicate this order to the District Magistrate, Ambedkar Nagar who in turn shall immediately communicate the same to the revenue authorities for compliance of the order of this Court.

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

Order Date :- 27.6.2025

mks

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