

THE HON'BLE SRI JUSTICE M.S.K. JAI SWAL

WRIT PETITION No.9486 of 2012

ORDER:

The writ petition is filed questioning the legal notice, dated 10.06.2011 and the action of trying to dispossess the petitioner from the property in question.

Learned counsel for the petitioner submits that the petitioner is in possession of plot Nos.48 and 49 to the extent of 425 square yards, having purchased the same from her vendors in the year, 1999, over which, she constructed three storied building.

Learned counsel for the respondents submits that the said land is part and parcel of the larger extent of land which belongs to the temple and therefore, the petitioner is an encroacher.

During the course of hearing, it is submitted that the petitioner filed detailed representation by way of reply in view of the legal notice issued by the 2nd respondent.

In that view of the matter, the Writ Petition is disposed of, permitting the petitioner to file a representation afresh to the 2nd respondent, within a period of four (4) weeks from today, and on filing such representation, the 2nd respondent shall dispose of the same, in accordance with law, within a period of two (2) months thereafter. However, the petitioner shall not be dispossessed from the property in question, without following due process of law. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAI SWAL, J

Date: 19.09.2017
Dsr