Court No. - 19
Case :- WRIT - C No. - 10844 of 2024
Petitioner :- Shayara
Respondent :- State Of U.P. Thru. District Magistrate, Sitapur And Others
Counsel for Petitioner :- Saubhagya Mishra,Abhishek Mishra,Aishwarya Pandey
Counsel for Respondent :- C.S.C.,Dilip Kumar Pandey

Hon'ble Manish Mathur,J.

Heard learned counsel for petitioner and learned State counsel for opposite parties No. 1 to 4, while notice on behalf of opposite party No.5 has been accepted by Mr. Dilip Kumar Pandey, Advocate.

Petition has been filed seeking a direction to the concerned authority not to make construction over Gata No.175 measuring are of .0320 hectares situated at Village Raisenpur, Tehsil Mahmoodabad, District Sitapur.

Further prayer has been made for a direction to the authority concerned to decide petitioner's application for exchange of plot under Section 101 of U.P. Revenue Code, 2006 which is pending consideration since 02nd March, 2024.

Learned counsel for petitioner submits that petitioner has been allotted gata No.179 in the village but his application for exchange under statutory provisions is pending since March, 2024 without any adjudication but in the meantime, the opposite parties are raising construction over the gata No.175, the exchange to which has been sought.

Considering the aforesaid submissions and prayer made, the opposite party No.2 i.e. Sub Divisional Magistrate, Tehsil Mahmoodabad, District Sitapur is directed to take a final decision with regard to petitioner's application dated 02nd March, 2024 regarding exchange of gata expeditiously within a period of six weeks from the date of certified copy of this order is served upon him.

Since petitioner's application is pertaining to exchange the gata No. 175 in the same village, it is directed that till decision on petitioner's application, no further construction shall be raised over gata No.175.

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

Order Date :- 17.12.2024/Reena/-

(Manish Mathur,J.)

Digitally signed by :-
REENA KANNAUJIYA
High Court of Judicature at Allahabad,
Lucknow Bench