

Court No. - 49

Case :- WRIT - B No. - 3484 of 2024

Petitioner :- Om Prakash And 5 Others

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Anant Vijay

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

Hon'ble Dinesh Pathak,J.

1. Petitioners are aggrieved against the order passed by the Deputy Director of Consolidation whereby they have illegally been dislodged from the area abutting the road over plot No. 373/4. It has been submitted that the petitioners have purchased the property in question by a registered sale deed dated 25.10.2000 and, accordingly, came into possession over the area abutting the national highway. However, they have illegally been dislodged from the said area and shifted towards the backside of the aforesaid plot. It is next submitted that the Settlement Officer of Consolidation has accorded the area according to the sale deed after due inspection conducted on spot. However, the Deputy Director of Consolidation has illegally reversed the order passed by the Settlement Officer of Consolidation without adverting to the plea raised on behalf of the petitioners. It is stated by the learned counsel for petitioners that the petitioners are still in possession abutting the road as per the subject matter of the sale deed dated 25.10.2000.

2. The matter requires consideration.

3. Respondents No. 1 and 2 are represented through learned Standing Counsel. Respondent No. 6, Gaon Sabha is represented through its counsel as well.

4. Issue notice to respondents No. 3 to 5 fixing 28.10.2024 as the date.

5. Till the next date of listing, parties are directed to maintain status quo, as on today, with respect to the nature and possession over the property in question.

Order Date :- 5.9.2024

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