

Court No. - 51

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 1542 of 2023

Petitioner :- Jagat Lal Patel

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

Counsel for Petitioner :- Ajit Kumar, Ashish Bajpayee

Counsel for Respondent :- C.S.C., Azad Rai

Hon'ble Chandra Kumar Rai, J.

1. In compliance of the earlier order of this Court dated 21.09.2023/ 18.10.2023, instruction dated 30.10.2023 is placed on record, which is taken on record.

2. Heard learned counsel for the petitioner, Mr. Mridul Kumar, learned Standing Counsel for the State-respondents and Mr. Azad Rai, learned counsel for respondent No.4/Land Management Committee.

3. The instant writ petition has been filed praying for a mandamus directing respondent authorities to remove the unauthorized encroachment made over the Gram Sabha Land- Navin Parti (Arazi No.696) by taking appropriate action on the applications/ representation moved by the petitioner (Annexure Nos.2 & 2A)

4. Mr. Mridul Kumar, learned Standing Counsel on the basis of the instruction dated 30.10.2023 submitted that plot No.696 area 0.0276 hectare is recorded as Navin Parti in the revenue record. He further submitted that aforementioned plot is in the possession of private party accordingly, proceeding has been initiated against the person who is in possession over the same and the case has been registered as Case No.T20302030209808 under Section 67 of U.P.

Revenue code, 2006 before respondent No.3/Tehsildar, Tehsil-Phoolpur, District Prayagraj, which is pending for consideration.

5. In view of the fact mentioned in the instruction the instant P.I.L. is finally disposed of with a direction to respondent No.3/ Tehsildar, Tehsil-Phoolpur, District-Prayagraj to consider and decide the aforementioned case in accordance with law expeditiously and preferably within a period of **three months** from the date of production of certified copy of this order after giving opportunity of hearing to the parties concerned and without granting unnecessary adjournments to either of the parties.

Order Date :- 7.11.2023

PS*