

Court No. - 52

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 1680 of 2023

Petitioner :- Rama Shankar Tiwari

Respondent :- State Of U.P. And 12 Others

Counsel for Petitioner :- Alok Ranjan Tripathi, Kamlesh Kumar Tripathi

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

Hon'ble Saurabh Srivastava, J.

1. Heard Sri Kamlesh Kumar Tripathi, learned counsel for the petitioner Sri Azad Rai, learned counsel for the respondent No.4 and learned Standing Counsel for the State respondents.

2. The present petition has been filed seeking the following relief:-

"(I) Issue a writ, order or direction in the nature of mandamus commanding the respondent no.2 to get the Talab No.217 Area 0.285 hectare situated at Gram Sabha Gagaur vacated from the possession of the respondent No.5 to 13 expeditiously within a stipulated time.

(II) Issue a writ, order or direction in the nature of writ of mandamus commanding the respondent No.2 to take coercive step against the trespassers/respondent no.5 to 13 of Talab No.217 Area 0.285 hectare situated at Gram Sabha Gagaur;

(III) Issue a writ, order or direction in the nature of mandamus commanding the respondent no.2 to get the Talab No.217 Area 0.285 hectare situated at Gram Sabha Gagaur be modernized expeditiously within a stipulated time under the guidelines of the Hon'ble Apex Court;

(IV) Issue any other suitable writ, order or direction which this Hon'ble Court may deem fit and proper under the facts and circumstances of the case.

(IV). Award the cost to the petitioner"

3. Today when the matter has been taken up, learned Standing Counsel came up with the specific instructions which is taken on

record through which it has been transpired that notices under Section 122B of U.P.Z.A&L.R. Act have been issued against respondent Nos. 10, 12 and 13 to remove illegal encroachment within 15 days.

4. The grievance of the petitioner has already been redressed in pursuance to the prayer as made in the instant petition and as such, there is hardly any cause of action arises in favour of the petitioner to pursue the instant petition.

5. Accordingly, the present petition stands disposed of.

Order Date :- 22.11.2023

A. Tripathi