

Court No. - 52

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 1782 of 2023

Petitioner :- Suresh Tiwari

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

Counsel for Petitioner :- Brij Kishore Pandey

Counsel for Respondent :- C.S.C., Bhupendra Kumar Tripathi

Hon'ble Saurabh Srivastava, J.

1. Heard Sri Brij Kishore Pandey, learned counsel for petitioner and learned Standing counsel for State respondents.

2. Present petition has been filed seeking following reliefs:

"A. Issue a writ, order or direction in the nature of mandamus directing the respondent authorities to remove the encroachment made over the Gram Sabha, land of gata nos. 774 Ka/0.97 (Jalmagn), 478 Ka/0.145 (Rasta), 478 Kha/0.0120 (Banjar), 476/0.81 (Naveen Parti), 482 (Naali), 460/0.0770 (Naveen Parti), 171/0.0320 (Abadi) situated in Gram Sabha, Faridabad, Pargana-Garwara, Police Station-Sujanganj, Tehsil-Machhali Shahar, District - Jaunpur."

3. At the very outset, learned Standing counsel came up with specific instructions which is taken on record through which it has been transpired that with regard to encroachment over plot no. 478ka, 478kha and 476 situated at village Faridabad, Tehsil Machhalishahar, District Jaunpur, proceedings under Section 67 of U.P. Revenue Code, 2006 has already been initiated against the encroachers. Insofar as plot no. 774ka and 482 situated in the same village are concerned, the said plots are at present lying vacant.

4. In view of the aforementioned facts and circumstances, it is crystal clear that grievance of petitioner has already been redressed in pursuance to the prayer sought through the petition and as such no cause of action survives for petitioner to pursue the instant petition and the same stands ***disposed of***.

Order Date :- 23.11.2023

Shaswat