

Court No. - 51

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 1733 of 2023

Petitioner :- Devi Prasad Mishra And Another

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

Counsel for Petitioner :- Ghazala Bano Quadri

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

Hon'ble Chandra Kumar Rai,J.

1. Heard Ms. Ghazala Bano Quadri, learned counsel for the petitioners, Mr. Shridhar Tripathi, learned Standing Counsel for the State-respondents and Mr. Azad Rai, learned counsel for the respondent - Land Management Committee.

2. The instant public interest litigation has been filed for removal of encroachment made by private respondent nos.5 & 6 over the plot nos.137 & 138 situated in Village- Antahiya, Pargana- Arail, Tahsil- Karchhana, District- Prayagraj within stipulated period.

3. In Compliance of the order of this Court dated 28.8.2023, instruction dated 11.9.2023 has been placed before the Court by learned Standing Counsel, which is taken on record.

4. In the instruction dated 11.9.2023, it is mentioned that plot no.137 area 0.0880 hectare is recorded as navin parti in the revenue records, which is in possession of the certain persons against whom four cases under Section 67 (1) of U.P. Revenue Code, 2006 have been registered. The particulars of the four cases are as under:

i. T202002030507495

ii. T202002030507496

iii. T202002030504893

iv. T202002030504749

5. In view of the pendency of the aforementioned four cases, under Section 67 (1) of U.P. Revenue Code, 2006, Tahsildar, Karchana, District- Allahabad is directed to decide the aforementioned four cases in accordance with law after

affording opportunity of hearing to both parties, expeditiously preferably within a period of four months from the date of production of certified copy of this order before him.

6. With the above observations, the instant public interest litigation is finally disposed of.

7. It is made clear that this Court has not expressed any opinion on the merits of the case.

Order Date :- 19.10.2023

Rameez