

Court No. - 51

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 1764 of 2023

Petitioner :- Ram Chandra Bhartiya

Respondent :- State Of U.P. And 9 Others

Counsel for Petitioner :- Anil Kumar Mishra

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

Hon'ble Chandra Kumar Rai,J.

1. Heard Mr. Anil Kumar Mishra, learned counsel for the petitioner, Mr. R.C. Srivastava, learned Additional Chief Standing Counsel for the State-respondents and Mr. Azad Rai, learned counsel for the respondent- Gram Panchayat.

2. In compliance of the orders of this Court dated 6.10.2023 & 27.10.2023, instruction dated 19.11.2023 is placed before the Court, which is taken on record.

3. Learned Additional Chief Standing Counsel on the basis of instruction dated 19.11.2023 submitted that plot nos.409 area 0.2000 hectare, 410Ka area 0.0402 hectare, 467Ka area 0.7200 hectare & 492Kha area 0.0570 hectare are recorded as Usar in the revenue records. He further submitted that after spot inspection / demarcation of the plot in dispute it has been found that plot no.409, 410Ka, 492Kha are free from encroachment while plot no.467ka has been encroached by the private persons, accordingly, proceedings under Section 67 (1) of U.P. Revenue Code, 2006 has been initiated and the four cases have been registered against the persons who are in possession over the same. The particular of the cases are as follows:

i. T202302030210513 (Gaon Sabha vs. Dukhran).

ii. T202302030210514 (Gaon Sabha vs. Ramsajivan).

iii. T202302030210515 (Gaon Sabha vs. Foolchandra).

iv. T202302030210516 (Gaon Sabha vs. Santosh Tiwari).

4. Considering the entire facts and circumstances, the instant public interest litigation is finally **disposed of** directing respondent no.4 i.e. Tahsildar, Tahsil- Phoolpur, District- Prayagraj to decide the aforementioned four cases,

under Section 67 (1) of U.P. Revenue Code, 2006 in accordance with law after affording proper opportunity of hearing to the parties, expeditiously preferably within a period of six months from the date of production of certified copy of this order before him.

Order Date :- 29.11.2023

Rameez