

Court No. - 52

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 1929 of 2023

Petitioner :- Lalchand Yadav

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Vivekanand Yadav, Naman Kishor Sharma

Counsel for Respondent :- C.S.C., Sudhir Bharti

Hon'ble Saurabh Srivastava, J.

1. Heard Sri Vivekanand Yadav, learned counsel for petitioner and Sri Anjani Kumar Chaurasiya, learned Additional Chief Standing counsel for State respondents.

2. Present petition has been filed seeking following reliefs:

"I. Issue a writ, order or direction in the nature of mandamus directing to the respondents to restrain the construction of the water tank upon the Khalihan land arazi no. 290 area 0.283 hectares, situated in the village Daddhdeeh, Tahsil Campiarganj, District Gorakhpur."

3. In pursuance to the order dated 11.10.2023, instructions received from Sri Anjani Kumar Chaurasiya are taken on record through which it has been transpired that construction of overhead water tank has now been stopped since same has not been initiated after adopting due process of law for demarcation of the appropriate land.

4. Although there was hardly any order for not to initiate the construction of overhead water tank at village Daddhdeeh, Tehsil Campiarganj, District Gorakhpur, respondent no. 3 is hereby directed to resolve the issue with regard to deciding the appropriate and allocated area over the plot pertains to Gaon Sabha for initiating the construction of overhead water tank which is also for the public utility.

5. The above mentioned exercise shall be carried out within a period of two months from the date of production of certified copy of this order so that no inconvenience may be caused to the public at large due to non construction of overhead water tank.

6. Writ petition stands ***disposed of*** accordingly.

Order Date :- 27.10.2023

Shaswat