

Court No. - 52

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 1952 of 2023

Petitioner :- Gulab Singh

Respondent :- State Of U.P. And 8 Others

Counsel for Petitioner :- Vikas Srivastava

Counsel for Respondent :- C.S.C.,Azad Rai,Pradeep Kumar Singh,Santosh Kumar Yadav

Hon'ble Saurabh Srivastava,J.

1. Heard Sri Vikas Srivastava, learned counsel for petitioner, Sri Santosh Kumar Yadav, learned counsel for respondent nos.6 to 8, Sri Dhananjay Singh, learned Standing Counsel for the State-respondent nos.1 to 4 and Sri Azad Rai, learned counsel for respondent no.5.

2. The present petition has been filed for seeking direction in the nature of mandamus to be issued in favour of respondent nos.2 to 4 to remove illegal encroachment carried out by the private respondents over Arazi Nos.1032 and 1031 which are recorded as pond and navin parti in the revenue records.

3. On the earlier occasion, when the instructions have been apprised to the Court, it was highlighted that the proceedings were initiated against only two persons, whereas learned Standing Counsel preferred today a specific affidavit of compliance through which it has been demonstrated that revenue authorities proceeded in pursuance of Section 67 of U.P. Revenue Code, 2006 against all the four persons by way of registering five cases under Section 67 of U.P. Revenue Code, 2006. Compliance affidavit preferred by learned Standing Counsel is taken on record.

4. Sri Santosh Kumar Yadav, learned counsel for respondent nos.6 to 8 filed counter affidavit today which is also taken on record through which it has been demonstrated that present petition has been preferred for settling the vested interest of the petitioner who was erstwhile Pradhan and a complaint has been made by him against respondent nos.6 to 8, wherein respondent no.6 also

contested the election of Gram Pradhan against the petitioner.

5. Be that as it may, without interfering into merits of the matter, once cases have already been registered and the proceedings have already been initiated by the revenue authorities under Section 67 of U.P. Revenue Code, 2006, there is hardly any specific occasion available before this Court to proceed with the matter.

6. The instant petition stands **disposed of** accordingly.

7. Personal appearance of respondent no.3 is hereby dispensed with.

Order Date :- 16.10.2023

Vivek Kr.