

Court No. - 40

Case :- WRIT - C No. - 29980 of 2023

Petitioner :- Birjoo @ Rajju

Respondent :- State Of U.P. And 6 Others

Counsel for Petitioner :- Anand Kr Srivastava, Pratibha Asthana

Counsel for Respondent :- CSC

Hon'ble Mahesh Chandra Tripathi, J.

Hon'ble Ms. Nand Prabha Shukla, J.

1. Heard learned counsel for the petitioner and Sri R.M.Upadhyay, learned Additional Chief Standing Counsel for the State-respondent.
2. In pith and substance, grievance of the petitioner is that respondent authorities had not ensured compliance of the order dated 15.04.2023 passed by Sub Divisional Magistrate (Judicial), Tehsil Sadar, District Azamgarh in Case No. 02671/2019 (Birjoo @ Rajju V/s. Kumar and others), under Section 133 Cr.P.C. for removal of illegal encroachment over gaon sabha land i.e. Arajai No. 1777, situated at village Lahuwa Kala, pargana Deogaon, tehsil Lalganj, district Azamgarh.
3. Learned Additional Chief Standing Counsel has placed the detailed instructions sent by Sub Divisional Magistrate, Lalganj, Azamgarh dated 25.10.2023 and submits that cause for filing of the writ petition no more survives as the remedial measures have been taken by the respondent authorities in compliance of the order dated 15.4.2023 and now, there is no encroachment over the pathway in question. The said instruction is taken on record and a copy of the same is also handed over to learned counsel for the petitioner.
4. Consequently, the writ petition stands disposed of in terms of the aforesaid.

Order Date :- 26.10.2023

A.K.Srivastava