

Court No. - 52

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 2043 of 2023

Petitioner :- Santosh Mali

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

Counsel for Petitioner :- Muktesh Kumar Singh

Counsel for Respondent :- C.S.C., Bhupendra Kumar Tripathi

Hon'ble Saurabh Srivastava, J.

Heard Shri Muktesh Kumar Singh, learned counsel for the petitioner and Shri Tarun Gaur, learned standing counsel for the state respondents.

On previous occasion at the admission stage vide order dated 13.9.2023 time was granted for filing Supplementary Affidavit to meet the requirement as contemplated under Sub Rule (3-A) of Rule 1 of Chapter XXII of the Allahabad High Court Rules (Rules of the Court 1952) and again on 26.9.2023 time was extended in favour of the learned counsel for the petitioner for filing Supplementary affidavit.

Today when the matter is taken up, again time has been sought for filing Supplementary affidavit, whereas learned standing counsel came up with the instructions that the proceedings against the alleged illegal encroachers have already been initiated under Section 67 of the Code of 2006 and the same is taken on record. In pursuance to the instructions so received there is hardly any cause of action survives in favour of the petitioner to pursue the instant petition, once the proceedings have already been initiated against the alleged encroachers under section 67 of the Code of 2006.

Writ petition stands **disposed of** accordingly.

Order Date :- 12.10.2023

Rakesh