

Court No. - 52

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 2286 of 2023

Petitioner :- Vinod Kumar

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- A.T. Pandey

Counsel for Respondent :- C.S.C.

Hon'ble Saurabh Srivastava,J.

1. Heard Sri A.T. Pandey, learned counsel for the petitioner and Sri Satyendra Bhushan Dubey, learned Standing counsel appearing on behalf of respondent nos. 1 to 4.

2. Present petition has been filed seeking a direction in the nature of mandamus to be issued in favour of the respondents to remove the illegal encroachment made over the public utility land bearing plot nos.1020, 1279 and 1280 in pursuance of the eviction order dated 16.12.2013 and 24.12.2013 passed by respondent no.4.

3. Today when the matter has been taken up, learned Standing Counsel came up with the specific instructions which is taken on record through which it has been transpired that against the order of eviction, the alleged encroachers have preferred appeals under Section 67(5) of U.P. Revenue Code, 2006 which are pending to be adjudicated and as such, till the disposal of the appeals, order or eviction cannot be implemented.

4. In view thereof, there is hardly any cause of action arises in favour of the petitioner to pursue the instant petition.

5. Accordingly, the present petition stands **disposed of**.

Order Date :- 30.11.2023

Vivek Kr.