

Chief Justice's Court

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 2318 of 2023

Petitioner :- Samajik Samanta Avam Samajik Nyay Samiti

Respondent :- State of U.P. and Another

Counsel for Petitioner :- Rajbir

Counsel for Respondent :- C.S.C.,Kaushalendra Nath Singh

Hon'ble Pritinker Diwaker,Chief Justice

Hon'ble Ashutosh Srivastava,J.

Heard Sri Rajbir Bhati, learned counsel for the petitioner and Sri Kaushalendra Nath Singh, learned counsel representing the Respondent No.2. Learned Standing Counsel appears for the State Respondent No.1.

The Writ (PIL) has been filed seeking directions to the Respondent No.2, Chief Executive Officer, Noida, to demolish the illegal construction made by the encroacher upon the Public Utility land situated in Sector-49, Noida, District-Gautam Budh Nagar and to decide the application of the petitioner dated 07.06.2023 within stipulated time frame fixed by this Court.

It is contended on behalf of the petitioner that for the said purpose the petitioner has moved the Chief Executive Officer, Noida, Gautam Buddha Nagar by way of a representation dated 07.06.2023 and the purpose of filing the present Writ (PIL) shall be served if directions are issued to the Chief Executive Officer, Noida/Respondent No.2 to consider and pass appropriate orders on the said representation.

Considering the averments made in the Writ (PIL) and the relief sought by the petitioners, we are of the opinion that the Writ (PIL) can be disposed of by requiring the petitioner through its authorized representative to approach the Chief Executive Officer, Noida/Respondent No.2 by representation dated 07.06.2023 by a fresh representation within three weeks from today. In the eventuality of such a representation being moved it is expected that the Chief Executive Officer, Noida/Respondent No.2 shall look into the matter and pass appropriate orders.

Subject to the above, the Writ (PIL) is consigned to records.

Order Date :- 17.10.2023

Deepak/

(Ashutosh Srivastava,J.) (Pritinker Diwaker,CJ.)