

Court No. - 38

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 2393 of 2023

Petitioner :- Kajal Singh

Respondent :- State Of U.P. And 7 Others

Counsel for Petitioner :- Rajesh Kumar Gautam, Tiwari Ajay Kumar

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

Hon'ble Ashutosh Srivastava, J.

1. Heard learned counsel for the petitioner, learned Standing Counsel for the State respondents and Shri Bhupendra Kumar Tripathi, learned counsel for the respondent no. 5.

2. This writ petition has been filed seeking mandamus commanding the respondent nos. 3 to remove the illegal encroachment of the respondent nos. 6 to 8, over Khasra No. 109 area 0.400 hectare, Khasra No. 116 area 0.890 hectare, Khasra No. 110 area 0.1580 hectare, Khasra No. 112 area 0.0080 hectare, Khasra No. 114 area 0.1050 hectare and Khasra No. 114C area 0.1025 hectare, situate in village Deeh Dadari, Tehsil Badlapur, District-Jaunpur.

3. At the very outset Shri Bhupendra Kumar Tripathi, learned counsel for the Gram Sabha, submits that for the relief prayed in the writ petition the petitioner is having an alternative remedy of filing application under Section 67 (1) of the U.P. Revenue Code, 2006, before the authority concerned and without availing the said remedy the present writ (PIL) has been filed.

4. In view of the above, the writ petition is ***disposed of*** leaving it open for the petitioner to approach the authority concerned under Section 67 (1) of U.P. Revenue Code, 2006.

Order Date :- 13.10.2023

Deepak/