

Court No. - 52

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 2362 of 2023

Petitioner :- Vigyan Singh

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Ramesh Kumar Mishra, Gyanendra Kumar Mishra

Counsel for Respondent :- CSC, Azad Rai

Hon'ble Saurabh Srivastava, J.

1. Heard Sri Ramesh Kumar Mishra, learned counsel for petitioner and learned Standing counsel for State respondents.

2. The instant P.I.L has been preferred seeking following reliefs:

"A. Issue a writ order or direction in the nature of mandamus commanding the state respondents to construct the pani ki tanki under Jal Jivan Mission of village Sehra in plot no. 301 area 0.0860 hectare recorded as Naveen Parti in view of proposal passed by the Gaon Sabha by restraining the construction of pani ki tanki in reserve land recorded as Bheeta being plot no. 304 area 0.1260 hectare situated at said village Sehra, Pargana-Arail, Tehsil-Karchhana, District Prayagraj by taking appropriate decision on the application dated 16.05.2023/09.06.2023 of the petitioner within time bound frame."

3. The prayer sought through the instant P.I.L is not sustainable in the eye of law since no cause of action survives for challenging the construction whatsoever has been proposed for construction of overhead water tank only at the behest that the land which has been reserved has been chosen by the concerned authority for construction of overhead water tank and the same has not been carried out as per the proposed land by the petitioner

4. In view of the aforementioned facts and circumstances, no cause of action survives for petitioner to further pursue the instant P.I.L and the same stands **dismissed**.

Order Date :- 18.10.2023

Shaswat