

Court No. - 52

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 2371 of 2023

Petitioner :- Rakesh Mishra

Respondent :- State Of U.P. And 12 Others

Counsel for Petitioner :- Deepak Kumar Tripathi

Counsel for Respondent :- C.S.C., Pankaj Kumar Gupta

Hon'ble Saurabh Srivastava, J.

1. Heard Sri Deepak Kumar Tripathi, learned counsel for petitioner and learned Standing counsel for State respondents.

2. Present petition has been filed seeking following reliefs:

"i) issue a writ, order or direction in the nature of mandamus directing the respondent nos. 2, 3 and 4 to remove the encroachment made by respondent no. 6 to 13 over the Arazi no. 160M Area 0.3240 hectare as well as Arazi no. 168 area 0.0320 hectare which is recorded as Banjar and pond (Gadahi) in the revenue record situated in village-Raksa, Post- Kauwathor, Tehsil-Mehdawal, District-Sant Kabir Nagar.

ii) issue a writ, order or direction in the nature of mandamus directing respondent no. 3 to take necessary action on the application of petitioner dated 05.07.2023 within stipulated period which is pending before him."

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 the proceedings under Section 67 of the U.P. Revenue Code, 2006 has already been initiated against the encroachers.

4. The grievance of the petitioner has already been redressed in pursuance to the prayer as made in the instant petition and as such, 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 :- 9.11.2023

Shaswat