

Court No. - 51

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 2475 of 2023

Petitioner :- Shyam Nath

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

Counsel for Petitioner :- Dinesh Kumar Sony, Shrawan Dwivedi

Counsel for Respondent :- C.S.C.

Hon'ble Chandra Kumar Rai, J.

1. Heard Mr. Dinesh Kumar Sony, learned counsel for the petitioner, Mr. Govind Kumar Saxena, learned Additional Chief Standing Counsel.

2. Instruction dated 25.10.2023 is placed before this court, which is taken on record.

3. Learned counsel for the petitioner submitted that plots in question, (particulars of plots are mentioned in paragraph nos. 3, 4, 5 and 6 of the writ petition) are recorded as Banjar, Naveen Parthi, Bheeta and Pokhri in the revenue records, but private respondents have got their name entered over the same without any order of the Court. He further submitted that proceeding under section 33/39 of U.P. Land Revenue Act, 1901 has been initiated and report dated 14.01.2015 has been submitted, although no order has been passed for restoring the entry of the plot in dispute in favour of the State/Gaon Sabha.

4. Mr. Govind Kumar Saxena, Learned Additional Chief Standing Counsel on the basis of the instruction submitted that case No. D 201315600741 (Sarswati Vs. Ram Awadh) is pending before District Magistrate, Azamgarh and last date fixed was 30.10.2023. He further submitted that as soon as the order will

be passed by the court concerned, proper steps shall be taken in respect to the plot in dispute by the State authorities.

5.Considering the arguments advanced by the learned counsel for the parties and averment made in the instruction, the instant public interest litigation is finally disposed of directing the respondent no.2/District Magistrate, Azamgarh to decide aforementioned pending case No.D 201315600741 (Sarswati Vs.Ram Awadh) expeditiously preferably within a period of three months from the date of production of certified copy of this order after giving opportunity of hearing to the parties concerned and without granting unnecessary adjournments to either of the parties.

Order Date :- 2.11.2023
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