

Court No. - 52

Case :- WRIT - C No. - 36239 of 2023

Petitioner :- Sunil Pal @ Sunil Kumar

Respondent :- State Of U.P. And 8 Others

Counsel for Petitioner :- Dan Bahadur Yadav

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

Hon'ble Saurabh Srivastava, J.

1. Heard Shri Dan Bahadur Yadav, learned counsel for the petitioner and learned Additional Chief Standing Counsel on behalf of State-respondents as well as Shri Bhupendra Kumar Tripathi appearing on behalf of respondent no.5.

2. Present petition has been filed seeking a writ, order or direction in the nature of mandamus directing / commanding to the respondent no.4 (Tehsildar Machhali Shahar, Jaunpur) to remove the obstructions created by the respondent nos. 6 to 9 from Chak road plot no.505 and 515 in exercise of power under Section 26 of the U.P. Revenue Code, 2006.

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 against illegal encroachers have already been initiated under Section 26 of the U.P. Revenue Code, 2006. In pursuance to the instructions so received, there is hardly any cause of action survives in favour of the petitioner to pursue the instant petition, once the proceedings have already been initiated against the alleged encroachers, under Section 26 of the U.P. Revenue Code, 2006.

4. Accordingly, the present petition stands, disposed of.

Order Date :- 16.11.2023

RKM