

Court No. - 51

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 2449 of 2023

Petitioner :- Manoj Kumar Vishavkarma

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Chandra Kant Tripathi

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

Hon'ble Chandra Kumar Rai, J.

1. Heard Counsel for the petitioner, Mr. S.P. Singh, learned Additional Chief Standing Counsel for the State-respondents and Mr. Pankaj Kumar Gupta, learned counsel for respondent No.5/Land Management Committee.

2. Mr. Pankaj Kumar Gupta, learned counsel for respondent No.5/Land Management Committee has placed instruction dated 18.10.2023 before the Court today, which is taken on record.

3. Mr. Pankaj Kumar Gupta, learned counsel for respondent No.5/Land Management Committee on the basis of the instruction dated 18.10.2023 submitted that against the order of Tehsildar dated 03.04.2023 restoration application has been filed by Bankey Lal S/o Shanker and the next date fixed in the matter is 17.11.2023.

4. In view of the pendency of the restoration application, it will be appropriate that restoration application be decided first and thereafter the prayer for removal of encroachment be considered.

5. In view of the aforesaid facts and circumstances of the case, the present P.I.L. stands **disposed of** finally directing respondent No.4/ Tehsildar, Tehsil-Dhanghat, District-Sant Kabir Nagar, to decide the restoration application filed by Bankey Lal son of Shanker against the order of Tehsildar dated 03.04.2023 in accordance with law expeditiously and preferably within a period

of **two 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 :- 19.10.2023

PS*