

Court No. - 51

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 2484 of 2023

Petitioner :- Kamlesh Kumar

Respondent :- State Of U.P. And 6 Others

Counsel for Petitioner :- Rajesh Rai

Counsel for Respondent :- C.S.C., Azad Rai

Hon'ble Chandra Kumar Rai, J.

1. Heard Mr. Rajesh Rai, learned Counsel for the petitioner, Mr. Abhishek Shukla, learned Additional Chief Standing Counsel for the State-respondents and Mr. Azad Rai for respondent no. 5, Gaon Sabha.

2. The instruction dated 28.11.2023 is placed before the Court which is taken on record.

3. The instant petition has been filed for following relief:-

"Issue a writ, order or direction in the nature of mandamus directing the respondent authorities to remove the encroachment of private respondents and their associates over the pond being Gata No. 996 at Village and Post Kathauli, Pargana- Khairagarh, Tappa Chaurasi, Tehsil Meja, District Prayagraj and to restore the pond on its original shape."

4. Mr. Abhishek Shukla, learned Standing Counsel for the State-respondents on the basis of instruction submitted that proceeding under Section 67 (1) of U.P. Revenue Code, 2006 has already been initiated and 30 cases have been registered against the persons who are in possession over the plot in dispute. The particular of the case numbers has been given in the document annexed along with the instruction. He further submitted that proceeding against remaining 16 persons under Section 67 (1) of U.P. Revenue Code, 2006 is also under the process of registration.

5. Considering the facts and circumstances, the public interest litigation is finally **disposed of** directing the respondent no.4, Tehsildar, Tehsil-Meja, District Prayagraj to decide the pending proceedings under Section 67 (1) of the U.P. Revenue Code, 2006 expeditiously in accordance with law.

Order Date :- 29.11.2023

Vandana Y.