

Court No. - 52

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 2503 of 2023

Petitioner :- Prem Nath Singh

Respondent :- State Of U.P. And 4 Others

Counsel for Petitioner :- Chandra Shekhar Sharma

Counsel for Respondent :- C.S.C.,Pradeep Singh

Hon'ble Saurabh Srivastava,J.

1. Heard Sri Chandra Shekhar Sharma, learned counsel for the petitioner, learned Chief Standing counsel appearing on behalf of State respondents as well as Sri Pradeep Singh, learned counsel for Gram Sabha.

2. The present petition has been filed seeking the following relief:-

i. Issue a writ, order or direction in the nature of mandamus directing the respondents to not to change the nature of land in question by making path over the araji no. 713 rakba 0.050 recorded as Nali in the revenue record situated at village Tiuri, Tehsil Aurai, District Bhadohi of which petitioner and other persons are using for the purposes of irrigation of their field.

ii. Issue a writ, order or direction in the nature of mandamus directing the respondent No.2 to decide the representation dated 08.04.2023 given by the petitioner and other persons which are not decided till now.

iii. Issue any writ order or direction as this Hon'ble Court may deem fit and proper under the facts and circumstances of the case.

iv. Award the cost of the Writ Petition to the petitioner.

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 construction of path over araji no. 713 rakba 0.050 recorded as Nali in the revenue record situated at village Tiuri, Tehsil Aurai, District Bhadohi, has already been stopped and the drain has got renovated.

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 :- 16.11.2023/A. Tripathi