

Court No. - 51

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 2670 of 2023

Petitioner :- Raju And 4 Others

Respondent :- State Of U.P. And 15 Others

Counsel for Petitioner :- Rajesh Yadav

Counsel for Respondent :- C.S.C.,Rameshwar Prasad Shukla

Hon'ble Chandra Kumar Rai,J.

1. Heard Counsel for the petitioners, Mr. Shridhar Tripathi, learned Standing Counsel for the State-respondents and Mr. Rameshwar Prasad Shukla, for respondent no. 5, Gaon Sabha.

2. In compliance of the order of this Court, instruction dated 30.11.2023 is placed by Mr. Shridhar Tripathi, learned Standing Counsel for the State-respondents before the Court which is taken on record.

3. Mr. Shridhar Tripathi, learned Standing Counsel for the State-respondents on the basis of the instruction submitted that plot Nos. 437, 438, 439 and 444 are recorded as public utility land. He further submitted that certain persons are in possession over the aforementioned plots accordingly proceeding under Section 67 (1) of the U.P. Revenue Code, 2006 have been registered in respect to the plot in question. He further submitted that plot No. 444 area 0.028 hectare is recorded as saurahan in the revenue record and there is no encroachment over the same. He further submitted that eight cases have been registered against the persons who are in possession over the same. The particulars of the case numbers are as follows:-

(a) T202315510404877

(b) T202315510404975

(c) T202315510402330

(d) T202315510404974

(e) T202315510404882

(f) T202315510404881

(g) T202315510404879

(h) T202315510404976

4. Counsel for the petitioners submitted that appropriate direction be issued for the expeditious disposal of the aforementioned pending cases.

5. Considering the facts and circumstances, the instant public interest litigation is finally **disposed of** directing the respondent no.4, Tehsildar, Tehsil Mohammadabad Gohna, District Mau to decide the aforementioned proceeding under Section 67 of the U.P. Revenue Code, 2006 after affording opportunity of hearing to the parties within period of **six months** from the date of production of certified copy of this order.

Order Date :- 4.12.2023

Vandana Y.