

Court No. - 52

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 2544 of 2023

Petitioner :- Vipin Kumar Singh

Respondent :- State Of U.P. And 3 Others

Counsel for Petitioner :- Deep Narayan

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

Hon'ble Saurabh Srivastava,J.

1. Heard Sri Deep Narayan, learned counsel for petitioner and Sri Vinod Kumar Rai, learned Standing Counsel.

2. By means of present writ petition, petitioner has sought a writ of mandamus to be issued in favour of respondent no.2 to decide the Case No. 1985 of 2022, Computerized Case No.T202215510201985 (Gaon Sabha Vs. Ram Sarikh), under Section 67 of U.P. Revenue Code, 2006 within stipulated time as fixed by this Court.

3. By bare perusal of the records, it appears that on the complaint made by petitioner, aforesaid case was registered against respondent no.4 under Section 67 of U.P. Revenue Code, 2006 and now petitioner has approached this Court by way of filing the present petition seeking direction in the nature of mandamus in favour of respondent no.2 to decide the said case expeditiously.

4. Duty of the complainant/petitioner has been ceased to be end only after informing the alleged encroachment carried out by respondent no.4, whereupon proceedings under Section 67 of U.P. Revenue Code, 2006 has already been initiated by responding authority which is still pending to be adjudicated finally. The prayer made by learned counsel for petitioner cannot be entertained at the behest of complainant since proceedings as initiated has to be culminated after due process of law as well as after affording proper opportunity of hearing to all concerned and as such, petitioner has no locus to file present petition since he is not an aggrieved person.

5. Accordingly, the present petition stands **dismissed**.

Order Date :- 23.11.2023/Vivek Kr.