

Court No. - 52

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 2556 of 2023

Petitioner :- Ramsudisht Maurya

Respondent :- State Of U.P. And 12 Others

Counsel for Petitioner :- Babu Lal Ram, Pramod Kumar

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

Hon'ble Saurabh Srivastava, J.

1. Heard Sri Pramod Kumar, learned counsel for the petitioner and Sri Vinod Kumar Rai, learned Standing counsel appearing on behalf of respondent nos. 1 to 4 as well as Sri Rameshwar Prasad Shukla, learned counsel for respondent no. 5.

2. Present petition has been filed seeking a direction in the nature of mandamus to be issued in favour of the respondents to remove the illegal encroachment made over the public utility land bearing gata no.4, situated at Village Karaila, Tehsil Sagadi, District Azamgarh.

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 proceedings under Section 67 of the U.P. Revenue Code, 2006 has already been culminated against the encroachers but appeal under Section 67(5) of U.P. Revenue Code 2006 preferred by the private respondents is still pending and as such, the prayer made by petitioner cannot be acceded.

4. In view thereof, 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 :- 21.11.2023

Vivek Kr.