

Court No. - 51

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 2599 of 2023

Petitioner :- Pradeep Kumar Chaudhary

Respondent :- State Of U.P. And 5 Others

Counsel for Petitioner :- Sheetala Prasad Pandey

Counsel for Respondent :- C.S.C., Pankaj Kumar Gupta

Hon'ble Chandra Kumar Rai, J.

1. Certified copy of the R.C. Form No.19 as well as order sheet is placed before the Court by the learned counsel for the petitioner, which is taken on record.

2. Heard Mr. Sheetala Prasad Pandey, learned counsel for the petitioner, Mr. Mridul Kumar, learned Standing Counsel for the State-respondents and Mr. Pankaj Kumar Gupta, learned counsel for respondent No.5/Gram Sabha.

3. The instant writ petition has been filed with the following relief:

"(i) Issue a writ, order or direction in the nature of mandamus to direct the respondents No.2 to 4 to evict the respondents No.6 from Gata No.132/0.0810 hectare which is recorded as road situated at Village-Narakataha Pargana Rasoolpur, Tehsil-Bhanpur, District-Basti and has been wrongly encroached by him."

4. Learned counsel for the petitioner submitted that after filing P.I.L. the client has provided the certified copy of the R.C. Form No.19 as well as certified copy of the order sheet of case to demonstrate that proceeding under Section 67 of U.P.Revenue Code, 2006 in respect to the plot No.132 M area 0.003 hectare has already been registered against the respondent No.6 (Sukhalal) as Case No.620 of 2023 computerized Case No.T202317140200620, which is pending. He further submitted that a suitable direction be issued to decide the aforementioned case expeditiously.

5. In view of the aforementioned facts, the instant P.I.L. is disposed of finally directing respondent Nos. 4/ Tehsildar Bhanpur, District-Basti to decide the aforementioned proceeding under Section 67 of U.P. Revenue Code, 2006 in accordance with law

expeditiously preferably within a period of four months from the date of production of certified copy of this order after affording opportunity of hearing to both the parties.

Order Date :- 8.11.2023

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