

**Court No. - 52**

**Case :-** PUBLIC INTEREST LITIGATION (PIL) No. - 2605 of 2023

**Petitioner :-** Devendra Singh

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

**Counsel for Petitioner :-** Pawankumar Dubey

**Counsel for Respondent :-** C.S.C., Mukesh Kumar, Raj Kumar Yadav, Sher Bahadur Singh

**Hon'ble Saurabh Srivastava, J.**

1. Heard Sri Pawan Kumar Pandey, learned counsel for the petitioner and Sri Satyendra Bhushan Dubey, learned Standing counsel appearing on behalf of respondent nos. 1 to 3 as well as Sri Sher Bahadur Singh, learned counsel for respondent no. 4 and Sri Raj Kumar Yadav, learned counsel who has filed Vakalatnama on behalf of respondent nos. 5 and 6.

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 lands bearing gata nos. 107, 260, 241, 254 and 303M, situated at Village Kalua Bojh, Tehsil Tilhar, District Shahjahanpur.

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 have already been initiated against the encroachers who encroached upon gata nos. 241 and 254. Insofar as gata nos. 107, 260, and 303M are concerned, the same are vacant and no illegal encroachment has been carried out over the same.

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 :-** 11.12.2023

Vivek Kr.