

**Court No. - 32**

**Case :-** WRIT - C No. - 39705 of 2023

**Petitioner :-** Sabbeer Aali

**Respondent :-** State Of U.P. And 6 Others

**Counsel for Petitioner :-** Ambrish Chandra Pandey

**Counsel for Respondent :-** C.S.C.

**Hon'ble Salil Kumar Rai,J.**

**Hon'ble Surendra Singh-I,J.**

1. The grievance of the petitioner in the present petition is that no decision is being taken by the Sub-Divisional Officer, Phoolpur on the representation filed by him informing the Sub-Divisional Officer that the respondent nos. 5 to 7 have encroached over the property of the Public Works Department Prayagraj.

2. It would serve no purpose to keep the petition pending. Under Section 133 of the Cr.P.C. the Sub-Divisional Officer has the power to take appropriate proceedings of public land is encroached or obstructed creating any nuisance.

3. The present petition is disposed of with a direction that in case, the petitioner submits a fresh representation before the Sub-Divisional Officer, Phoolpur i.e. the respondent no. 2, bringing all the necessary facts to the notice of respondent no.2, the same shall be decided in accordance with law by the respondent no. 2 within one month from the date of filing the representation and the respondent no. 2 shall act in accordance with law depending on his decision.

**Order Date :-** 20.11.2023

Pratima