

Court No. - 47

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 2677 of 2023

Petitioner :- Suresh Chand

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

Counsel for Petitioner :- Rajesh Kumar Singh

Counsel for Respondent :- C.S.C.,Sudhir Bharti

Hon'ble Manish Kumar Nigam,J.

1. Heard learned Counsel for the parties and perused the record.

2. The present petition has been filed for the following relief:

I. Issue a writ, order or direction in the nature of mandamus commanding the respondent no.2 to decide the proceeding u/s 67 of U.P. Revenue Code, 2006 numbered as Suit No.454 of 2017, Computerized Suit No.T201705313507454 (Gaon Sabha Vs. Shivdas Singh) with regard to encroachment on Khalihan land situated at Village-Karokan @ Baranagar, Tappa-Ratanpur, Pargana-Dhuriyapar, Tehsil-Gola, District-Gorakhpur within a stipulated period without providing unnecessary adjournment to either of the parties, and take appropriate action against the encroacher i.e. respondent no.4."

3. A preliminary objection has been raised by learned Standing Counsel that the petitioner is not party to the proceeding, therefore, has no locus to file the present petition.

4. In view of the above, the present writ petition is **dismissed** and as the proceedings are already pending under Section 67 of the U.P. Revenue Code, 2006, it is expected that the same may be decided in accordance with law after hearing all the parties concerned in accordance with law.

Order Date :- 21.11.2023

S. Singh