

Court No. - 52

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 2725 of 2023

Petitioner :- Irfan Ali

Respondent :- State Of U.P. And 13 Others

Counsel for Petitioner :- Ramesh Kumar Mishra

Counsel for Respondent :- C.S.C., Arun Kumar Pandey

Hon'ble Saurabh Srivastava, J.

1. Heard Sri Ramesh Kumar Mishra, learned counsel for petitioner and Sri Satyendra Bhushan Dubey, learned Standing Counsel appearing on behalf of respondent nos. 1 to 4 as well as Sri Arun Kumar Pandey, 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.462, situated at Village Islamnagar Rampura, Tehsil Sadar, District Moradabad.

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 a case bearing Original Suit No.889 of 2021 (Raseed Vs. Gram Sabha) with regard to aforesaid gata no.462 is pending before learned Civil Judge (J.D.), Moradabad and as such, no action can be taken by the responding authority with regard to removal of illegal encroachment.

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 :- 16.12.2023

Vivek Kr.