

Court No. - 47

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 2757 of 2023

Petitioner :- Laxmi Prasad

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

Counsel for Petitioner :- Bashisth Narain Pandey

Counsel for Respondent :- CSC, Bhupendra Kumar Tripathi

Hon'ble Manish Kumar Nigam, J.

1. Heard learned counsel for the petitioner, learned Standing Counsel for the State and perused the record.

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

"a) Issue a order or direction in the nature of mandamus commanding and directing the respondent no. 2 to decide the Case No. 02663 of 2020, Computerized Case No. T-202014360302663 (Revenue Lekhpal Versus Jai Prakash) U/s 67 of U.P. Revenue Code-2006.

b) Issue a order or direction in the nature of mandamus commanding and directing the respondents authorities to remove the illegal and unauthorized encroachment from the private respondents from the public utility land of Gata No. 1463, Rakba 0.178 Hectare, which is recorded as Rasta in Revenue Record, in the interest of public at large."

3. Learned counsel for the petitioner states that the case is pending since 2020 before respondent No. 2 for adjudication. He prayed that the same may be decided, expeditiously.

4. From perusal of the order sheet, annexed as Annexure No. 4 to the writ petition, it appears that several dates have been fixed by the Court concerned, however, till date, the aforesaid case has not been decided.

5. No useful purpose would be served in keeping this petition pending.

6. Considering the facts and circumstances of the case, without expressing any opinion on the merits of the case, the present petition stands **disposed of** finally with a direction to respondent No. 2- Tehsildar/ Assistant Collector, Tehsil-Machhilshahar, District-Jaunpur to consider and decide the aforementioned case, in accordance with law, expeditiously, after giving opportunity of hearing to the parties concerned and without granting unnecessary adjournments to either of the parties provided that there is no other legal impediment.

Order Date :- 30.11.2023

Nitika Sri.

(Manish Kumar Nigam, J.)