

Court No. - 17

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 951 of 2023

Petitioner :- Nikhil Kumar Tiwari

Respondent :- State Of U.P Thru. Prin. Secy. Revenue Deptt.
Civil Sectr. Lko. And 5 Others

Counsel for Petitioner :- Rajeev Kumar Dwivedi

Counsel for Respondent :- C.S.C.,Mohan Singh

Hon'ble Alok Mathur,J.

1. Heard Sri Rajeev Kumar Dwivedi, learned counsel for the petitioner, learned Standing counsel for the State and Sri Mohan Singh for the Gaon Sabha.

2. By means of the present public interest petition the petitioner has stated that the land of gata No.209K area 0.978 hectare situated at Sherpur Parasrampur, Post Narharpu, Tehsil- Lambhua, District Sultanpur which is recorded as *Banjar* in revenue record which is a public utility land where the private respondent No.6 have illegally encroached/made illegal possession and constructions. It is further submitted that several representations in this regard have been given to the concerned authorities but no proceedings have been initiated by them.

3. Learned Standing counsel, on the basis of the instructions, has informed this Court that the proceedings under Section 67 of U.P. Revenue Code, 2006 have already been initiated against the other encroachers vide Case No.s T201904680303366, T201904680303367, T201904680303368, T201904680303369, T201904680303370, T201904680303371, T201904680303372, T201904680303375, T201904680303376, T201904680303377, T201904680303378, T201904680303379 and T201904680303380 and against opposite party No.6 vide case No.T202304680303810 which shall be concluded expeditiously.

4. In light of the above and also considering the fact that under Section 67 of the Code of 2006 the competent

authority has full powers to clear illegal encroachments from public utility land and also to impose penalty and also considering that appropriate proceedings have already been initiated, no further directions are required to be issued by this Court. However, it is expected that the competent authority shall proceed in the matter and conclude the same expeditiously in accordance with law.

5. The petition, thus, stands **disposed off**.

(Alok Mathur, J.)

Order Date :- 17.10.2023

RKM.