

Court No. - 17

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 923 of 2023

Petitioner :- Satendra Kumar Singh

Respondent :- State Of U.P. Thru. Prin. Secy. Revenue, U.P. Govt.
Lucknow And 3 Others

Counsel for Petitioner :- Shahnaz Fatima,Km. Deepa,Mohammad
Furkhan,Rudresh Pandey

Counsel for Respondent :- C.S.C.

Hon'ble Alok Mathur,J.

1. Heard learned counsel for petitioner as well as learned Standing Counsel for the respondents.
2. Petitioner has approached this court seeking a direction to opposite parties No.s 2 and 3 to vacate the pond land from encroachment by local villagers of the land Khata No.00515 of gata No.107 area 2.0770 hectares, gata No.631 area 0.1600 hectare, gata No.813 area 0.300 hectare, gata No.817 area 0.9050 hectare and gata No.818 area 0.0510 hectare, situated in Village Hasanpur, Pargana Meeranpur, Tehsil Fatehpur, District Barabanki which is recorded as pond land in the revenue records, within stipulated period of time.
3. It is further submitted that over the aforesaid pond land the encroachers of the village are willfully encroaching and constructed fixed houses.
4. Learned Standing Counsel, on the other hand, has submitted that petitioner has efficacious remedy under Section 67 of U.P. Revenue Code, 2006 where after obtaining report of Revenue Inspector and issuing notices to the alleged encroachers, effective orders for removal of the alleged encroachments as well as levy of penalty can be passed in case the allegations are found correct.
5. Learned counsel for petitioner at this stage submits that petitioner may be given liberty to move an application under Section 67 of U.P. Revenue Code, 2006 before the competent authority.
6. Accordingly, without entering into merits of the case, the writ petition, is disposed of with a liberty to the petitioner to move an application before the competent authority and in case such an application is made the said authority is directed to proceed to consider and decide the same expeditiously in accordance with law.

(Alok Mathur, J.)

Order Date :- 11.10.2023
RKM.