

Court No. - 1

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 909 of 2023

Petitioner :- Shiv Om Ojha

Respondent :- State Of U.P. Thru. Prin. Secy. Revenue Govt. Lko. And 7 Others

Counsel for Petitioner :- Mukesh Kumar Tewari

Counsel for Respondent :- C.S.C.,M.K. Dixit

Hon'ble Attau Rahman Masoodi,J.

Hon'ble Om Prakash Shukla,J.

1. Heard learned counsel for the petitioner, Shri M.K. Dixit, learned counsel for respondent Nos.5, 6 and learned Standing Counsel for State-respondent Nos.1 to 4.
2. Learned counsel for the respondent Nos.5 and 6, on the basis of instructions, has informed that the proceedings under Section 133 Cr.P.C. have already been taken up by the Sub Divisional Magistrate insofar as the unauthorized encroachment over the public utility land is concerned.
3. That being so, we direct the Sub Divisional Magistrate concerned to conclude the pending proceedings expeditiously, in accordance with law.
4. The present P.I.L. is, accordingly, ***disposed of*** in terms of the direction issued.
5. However, it shall be open for the petitioner to avail the appropriate remedy under Section 67 of the U.P. Revenue Code, 2006 in case there is inaction on the part of the Sub Divisional Magistrate to conclude the proceedings in accordance with law.

(Om Prakash Shukla, J.) (Attau Rahman Masoodi, J.)

Order Date :- 10.10.2023

Shubhankar