

Court No. - 1

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 908 of 2023

Petitioner :- Sangeeta And Others

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

Counsel for Petitioner :- Arvind Yadav,Pragya Pandey

Counsel for Respondent :- C.S.C.,Pankaj Gupta

Hon'ble Attau Rahman Masoodi,J.

Hon'ble Om Prakash Shukla,J.

1. Heard learned counsel for the petitioners, Shri Pankaj Gupta, learned counsel for respondent No.6- Gram Sabha and learned Standing Counsel for State-respondent Nos.1 to 5.

2. The grievance raised in the present P.I.L. is confined to the construction of a public pathway which according to the petitioners has not been laid to facilitate the smooth and safe movement of the villagers as well as the livestock. Moreover, there is a complaint of water logging as well.

3. All such issues are the subject matter of developmental schemes which are floated for the betterment of villages. A public pathway regarding which the grievance is raised, is bound to be shaped in a way so that its utility for the public as well as the livestock becomes congenial. Any interlocking material or slabs used for the construction of public pathway should not leave grooves or spaces tending to cause damage to

the hooves of animals or the villagers walking most of the time bare footed in dark night. The aspect must be viewed seriously by the Gram Panchayat as well as the district authorities while implementing the projects of laying public pathways.

4. We leave it open to the petitioners to take up their grievance before the District Magistrate as well as District Panchayat Raj Officer concerned and in case, any such representation is made pointing out the defects, the same shall be looked into and appropriate measures be taken in this regard at the earliest, failing which, the petitioners shall have liberty to make an application in the present writ petition for further directions, if necessary.

5. With the observations as above, the instant P.I.L. is ***disposed of.***

6. Let a copy of this order be circulated to all the District Magistrates, Zila Panchayats and development authorities and Gram Panchayats.

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

Order Date :- 10.10.2023/Shubhankar