

Court No. - 17

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 914 of 2023

Petitioner :- Manoj Kumar Tripathi

Respondent :- State Of U.P Thru. Prin. Secy. Revenue Deptt.
Civil Sectr. Lko. And 25 Others

Counsel for Petitioner :- Durgesh Kumar Singh

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

Hon'ble Alok Mathur, J.

1. Heard Sri Mahesh Kumar Sharma, learned counsel for petitioner as well as learned Standing Counsel for respondent No. 1 to 6.

2. In light of the proposed order, notices to private respondents are dispensed with.

3. By means of the present writ petition, the petitioner has sought a direction to respondents to vacate the government land of gata No. 67/0-014 hectare (Banjar) and gata No. 76/0.1580 hectare (Pond) situated at Village - Ram Nagar Semra Pargana - Charda, Tehsil - Nanpara, District - Bahraich, from the possession of unauthorized encroachers.

4. It has been submitted that the said land situated at Gata No. 67 in the said village is recorded as public utility land and has been illegally encroached by private respondents. It has also been stated that several representations have been made by the petitioner in this regard to the competent authority but no action has been taken by them consequently present writ petition has been filed.

5. Learned Standing Counsel on the basis of instructions has submitted that proceedings under Section 67 of U.P. Revenue Code, 2006 have already been initiated against the illegal encroachers and Case No. T202108150211047 (Gaonsabha Vs. Manoj Kumar Tripathi), Case No. T202108150211046 (Gaon Sabha Vs. Kanhaiya Lal) and Case No. T202108150211048 (Gaonsabha Vs. Devi Prasad) have already been registered and only after orders are passed, necessary action will be taken against the encroachers and with regard to Gata No. 76, demarcation has already been done in the presence of petitioner.

6. In light of the above, considering the fact that proceedings in

accordance with law i.e. U.P. Revenue Code, 2006 have already been initiated against the alleged encroachers, no further directions are required by this Court in exercise of powers under Article 226/227 of Constitution of India.

7. However, the competent authority is directed to expedite the hearing in the aforesaid cases and pass necessary orders expeditiously in accordance with law, say, within a period of three months from the date a certified copy of this order is produced before him.

8. With the above observations / directions, the writ petition stands **disposed of**.

(Alok Mathur, J.)

Order Date :- 10.10.2023

Ravi/