

Court No. - 17**Case :-** WRIT - C No. - 8805 of 2023**Petitioner :-** Dadhiwal**Respondent :-** State Of U.P. Thru. Prin. Secy.
Revenue, Development Lko. And 8 Others**Counsel for Petitioner :-** Onkar Pandey, Deepak
Kumar**Counsel for Respondent :-** C.S.C., Dilip Kumar
Pandey**Hon'ble Alok Mathur, J.**

Heard learned counsel for the petitioner, learned Standing Counsel appearing on behalf of respondents no.1 to 3.

In light of the order proposed to be passed order notice to private respondents is dispensed with.

By means of the present writ petition petitioner has prayed for a direction to the State- respondents to take appropriate steps for removal of the illegal encroachment done by the private opposite parties over the Chak Marg situated in the village Basahi Colony, Tehsil Palia Kalan, District Kheri, Chak No.10 Min.

It has been submitted that the said chak marg which is existing at Gata No.10 M/3.440 Hectare situated in the aforesaid village is being illegally occupied by the private opposite parties thereby causing obstruction in the passage to the villagers and, consequently, in this regard various representations have been given to the authorities but no action has been taken.

Learned Standing Counsel on the basis of instruction has submitted that according to the Revenue officials no encroachment has been made on the said chak marg.

It is further submitted that in case petitioner has any grievance then he has efficacious remedy under Section 26 of the U.P. Revenue Code, 2006 where in case appropriate application is made to competent authority and after obtaining inspection report the alleged encroachers can be removed from the said chak marg.

At this stage learned counsel for the petitioner submits that he may be given liberty to move appropriate application to the competent authority under Section 26 of the U.P. Revenue Code, 2006 so that he can move an appropriate application before the competent authority.

In light of the statement made by the learned counsel for the petitioner, the petition is disposed of with the liberty to the petitioner to move an appropriate application under Section 26 of the U.P. Revenue Code, 2006 for redressal of his grievance. In case such an application is made within next two weeks competent authority is directed to proceed and decide the same expeditiously in accordance with law.

Order Date :- 12.10.2023

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(Alok Mathur, J.)