

Court No. - 8

Case :- WRIT - C No. - 9109 of 2023

Petitioner :- Dharmdev And Another

Respondent :- State Of U.P. Thru. Prin. Secy. Deptt. Revenue Govt. Lko.
And 4 Others

Counsel for Petitioner :- Dinesh Kumar Shukla

Counsel for Respondent :- C.S.C.,Surya Prakash Singh

Hon'ble Pankaj Bhatia,J.

1. Present petition has been filed with the following prayers:

"(i) Issue a writ order or direction in the nature of Mandamus commanding to the opposite party No. 2 to 4 for taking the necessary action against illegal occupier for the removed the illegal encroachment over the public utility land gata No. 393/0.166, 465/0.235, 295/0.101 and gata No.239/0.081 hectare situated at village Pabna Nagar Panchyat and Tehsil Kaisarganj District Bahraich recoded as a Khalihan in revenue record and gata No. 466/0.049 hectare situated at village Pabna and reserved for Panchyat house in the interest of justice.

.(ii) Issue a writ order or direction in the nature of Mandamus thereby direct to the opposite party No. 3 i.e. Sub Divisional Officer Tehseel District Bahraich to decide the representation dated Kaisarganj 15.09.2023 contained as annexure No.3 Pending before him moved by petitioner within a stipulated period fixed by this Hon ble court in the interest of justice.

....."

2. Learned Standing Counsel, based upon instructions, states that the proceedings for earmarking the land in question have already been initiated and soon the proceedings for removal of the unauthorized occupation shall be initiated. The instructions are taken on record.

3. In view thereof, the present petition is ***disposed off*** directing respondents to take appropriate steps in terms of the instructions within a period of two months.

4. This order has been passed in the presence of Ms. Anupama Bhadauria, learned counsel holding brief of Shri Surya Prakash Singh, learned counsel appearing for respondent no.5.

Order Date :- 18.10.2023

nishant