

Court No. - 8

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 960 of 2023

Petitioner :- Shahzade

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

Counsel for Petitioner :- Lalit Kishore Tiwari, Himanshu Shukla

Counsel for Respondent :- C.S.C., Dilip Kumar Pandey

Hon'ble Pankaj Bhatia, J.

1. The present petition has been filed by the petitioner for the following relief:

"(I). Issue a writ, order or direction in the nature of mandamus commanding the opposite party no.1 to 4 to remove the encroachment of opposite party no.5 over the reserve land of Quabrishtan at Gata No.1163 measuring area 0.081 hectare situated at Village Indalwel Grant Tahsil Misrikh District Sitapur."

2. It is informed that in terms of the instructions earlier given, this Court vide order dated 20.12.2021 passed in PIL Civil No.29853 of 2021, the proceedings were initiated in respect of the property in question and an order was passed on 28.09.2022 as contained in Annexure-5 to the writ petition.

3. The grievance of the petitioner is that the order dated 28.09.2022 has not been executed.

4. The learned Standing Counsel in terms of the instructions informs that for execution of the said order, 15 days' time has been granted to the encroacher on 05.10.2023 to remove the encroachment and in case, the encroachment is not removed by the encroacher within the said period, the same shall be removed in accordance with law. The instruction is taken on record.

5. In view of above, the writ petition is ***disposed off*** directing that the order dated 28.09.2022 shall be executed by the respondents positively within a period of one month from today.

Order Date :- 17.10.2023
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