

Chief Justice's Court

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 862 of 2022

Petitioner :- Shiv Poojan

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

Counsel for Petitioner :- Ramesh Kumar Srivastava

Counsel for Respondent :- C.S.C.

Hon'ble Pritinker Diwaker, Chief Justice

Hon'ble Rajan Roy, J.

Petitioner is a resident of village Dariyapur, Pargana & Tehsil - Sadar, District - Raebareili. According to him, in between village Dariyapur and Bella Bhela, one hospital namely, All India Institute of Medical Science is being set up as a result of which, villagers of the two villages would face great hardship because their approach road would completely be blocked. According to him, unless and until, alternate road is provided, this hardship cannot be resolved.

State counsel submits that in case the petitioner files a detailed representation before the Collector, Raebareli/respondent no. 1, appropriate order would be passed after inspecting the spot in question.

Proposition put forth by the State counsel has been accepted by learned counsel for the petitioner.

In view of above, the writ petition is disposed off with a direction that in case the petitioner files a detailed representation ventilating his grievance before the Collector, Raebareli/respondent no. 1 within two weeks from today, respondent no. 1 shall decide the same within a period of two months. While deciding the representation, the respondent no. 1 shall ensure personal hearing to the petitioner and other persons, who are being affected by the act of the Government. The local body i.e. Gram Panchayat may also be heard by the respondent no. 1.

It is made clear that this Court has not observed anything on the merits of the case and the competent authority, i.e. the Collector, Raebareli shall decide the representation of the petitioner strictly in accordance with law.

Order Date :- 15.5.2023/nd

(Rajan Roy, J.) (Pritinker Diwaker, C.J.)