

Court No. - 17

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 994 of 2023

Petitioner :- Brijlal

Respondent :- State Of U.P. Thru. Prin. Secy. Revenue Civil Sectt. Lko And 9 Others

Counsel for Petitioner :- Rakesh Kumar Yadav

Counsel for Respondent :- C.S.C.,Mohan Singh

Hon'ble Alok Mathur,J.

1. Heard Sri Rakesh Kumar Yadav, learned counsel for petitioner as well as learned Standing Counsel for respondent No. 1 to 3 and Sri Mohan Singh, learned counsel for respondent No. 4.

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 take necessary action against the unauthorized occupants and also for removal of encroachment upon the land situated at Gata No. 686 Kh/0.6580, 736/0.7710, 328/04910 Hec. situated in Village Annpurna Nagar, Tehsil Jaisinghpur, District - Sultanpur.

4. It has been submitted that the said land situated at Gata No. 686 Kh/0.6580, 736/0.7710, 328/0.4910 Hec. in the said village is recorded as pond 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. T202304680704999 (Gaon Sabha Vs. Jamuna Prasad & Ors), Case No. T2017046850071739 (Gaon Sabha Vs. Mahendra Narayan), Case No. T202304680705000 (Gaon Sabha Vs. Sanjay Dubey & Ors), Case No. T2017046850072807 (Gaon Sabha Vs. Shesh Mani & Ors) and Case No. T202304680704998 (Gaon Sabha Vs. Ram Lagan & Ors) have already been registered and notices have been issued to the alleged encroachers and only after orders are passed, necessary action will be taken against the encroachers.

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.

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

(Alok Mathur, J.)

Order Date :- 27.10.2023

Ravi/