

Court No. - 1

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 1009 of 2023

Petitioner :- Anand Prakash Mishra And Others

Respondent :- State Of U.P. Thru. Secy. Public Works Deptt. And Others

Counsel for Petitioner :- Shyam Mohan Upadhyay

Counsel for Respondent :- C.S.C., Deepak Kumar Pandey, Paritosh Shukla

Hon'ble Attau Rahman Masoodi, J.

Hon'ble Om Prakash Shukla, J.

1. The instructions placed before us are taken on record.
2. Heard learned Counsel for the petitioner and learned Standing Counsel for the State-respondents.
3. Learned Standing Counsel, on the basis of instructions, has stated that a team was constituted on 04.11.2023 for carrying out a drive for removal of unauthorized encroachments on 05.11.2023. It is informed that unauthorized encroachment over Gata No.1121 measuring 2.537 hect. has been removed.
4. Learned Counsel for the petitioner, however, has disputed the position. It is submitted that the pakka construction raised on either side of the National Highway has yet not been removed by the authorities. The drive carried out is a camouflage and the instructions placed before this Court are not correct.
5. The instructions placed before this Court also indicate that Gata No.1172 situated adjacent is recorded in the name of the petitioners' father. Thus, it cannot be doubted that the petitioners have no self interest in the litigation. The institution of PIL at the instance of the petitioners is impregnated with self interest.
6. In view of what has been recorded above, the writ petition is **dismissed**.
7. The petitioners are cautioned to remain vigilant in future and not agitate their personal cause in a petition filed in public interest.

(Om Prakash Shukla, J.) (Attau Rahman Masoodi, J.)

Order Date :- 7.11.2023/Anand Sri./-