

Court No. - 17

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 1015 of 2023

Petitioner :- Naresh Kumar Awasthi

Respondent :- State Of U.P. Thru. Prin. Secy. Revenue U.P. Lko. And 3 Others

Counsel for Petitioner :- Suresh Chandra Tiwari

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

Hon'ble Alok Mathur, J.

1. Heard Sri S.C. Tiwari, learned counsel for petitioner as well as learned Standing Counsel for respondent No. 1 to 3 and Sri Dilip Kumar Pandey, counsel for respondent No. 4.

2. The allegation made in the present writ petition are that number of plots have been encroached by certain villagers and numerous representations have been given to Hon'ble Chief Minister and other authorities of the State but no action has been taken till date.

3. From the writ petition, no individual who has alleged to encroached upon the said land has been made party and general and vague allegations have been levelled regarding the said encroachment.

4. Learned Standing Counsel on the other hand submits that petitioner has an efficacious remedy under Sections 26 & 67 of the U.P. Revenue Code, 2006 where effective orders for removal of the alleged encroachments as well as levy of penalty can be passed in case the allegations are found correct.

5. Learned counsel for petitioner at this stage submits that petitioner may be given liberty to move an application under Sections 26 & 67 of U.P. Revenue Code, 2006 before the competent authority.

6. Accordingly, without entering into merits of the case, the writ petition, is **disposed of** with a liberty to the petitioner to approach appropriate authority for redressal of his grievances.

Alok Mathur, J.)

Order Date :- 2.11.2023/Ravi/