

Court No. - 17

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 1037 of 2023

Petitioner :- Smt. Geeta Devi

Respondent :- State Of U.P. Thru. Secy. For Revenue Lko. And 6 Others

Counsel for Petitioner :- Shashank Shukla, Prachi Shukla

Counsel for Respondent :- C.S.C., Pankaj Gupta

Hon'ble Alok Mathur, J.

1. Heard learned counsel for petitioner, learned Standing Counsel for respondents No.1 to 4 while notice on behalf of land management committee of the Gaon Sabha has been accepted by Sri Pankaj Gupta.

2. In light of the proposed order, notices to private respondents are dispensed with.

3. Petitioner approached this court seeking a direction to respondent No.1 to evict the private respondents who have encroached upon Gram Sabha land of gata No.233 area 0.0930 hectare situated in Village Vishunpur, Pargana and Tehsil Mankapur, District Gonda expeditiously. Learned counsel for petitioner submits that the aforesaid land is recorded as Banjar in the revenue records and has been encroached by the private respondents.

4. Learned Standing Counsel on the other hand has submitted that petitioner has efficacious remedy under Section 67 of U.P. Revenue Code, 2006 where after obtaining report of Revenue Inspector and issuing notices to the alleged encroachers, 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 Section 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 move an application before the competent authority and in case such an application is made within two weeks from today, the said authority is directed to proceed to consider and decide the same expeditiously in accordance with law.

(Alok Mathur, J.)

Order Date :- 7.11.2023/RKM.