

Court No. - 17

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 1046 of 2023

Petitioner :- Indrajeet Yadav

Respondent :- State Of U.P. Thru. Prin. Secy. Revenue Lko.
And 8 Others

Counsel for Petitioner :- Hanumant Lal Yadav

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

Hon'ble Alok Mathur,J.

1. Heard Sri Hanumant Lal Yadav, learned counsel for the petitioner as well as learned Standing counsel for the State-respondents while notice for the Gaon Sabha-respondent No.5 has been accepted by Sri Mohan Singh.

2. By means of the present public interest petition the petitioner has stated that the land of gata No.74 which is recorded as pond, land of gata No.56 which is recorded as chakmarg, land of gata No.62 recorded as Khad Gaddha and land of gata No.77 recorded as Khalihan in the revenue records situated in Village Bhagautipur Uttar Post Sheshanpur, Lambhuwa, District Sultanpur are public utility lands where the private respondents have illegally encroached/made illegal possession and constructions. It is further submitted that several representations in this regard have been given to the concerned authorities but no proceedings have been initiated by them.

3. Learned Standing counsel, on the basis of the instructions, has informed this Court that in respect of the aforesaid encroachments the proceedings under Section 67 of U.P. Revenue Code, 2006 have already been initiated against private respondents in the court of Tehsildar Lakbhuwa vide Case No.s T 202304680304768 and T 202304680304768 in which next date fixed is 17.11.2023 and the same shall be concluded expeditiously.

4. In light of the above and also considering the fact that under Section 67 of the Code of 2006 the competent authority has full powers to clear illegal encroachments from public utility land and also to impose penalty and also considering that appropriate proceedings have already been

initiated, no further directions are required to be issued by this Court. However, it is expected that the competent authority shall proceed in the matter and conclude the same expeditiously in accordance with law.

5. The petition, thus, stands **disposed off**.

(Alok Mathur, J.)

Order Date :- 7.11.2023/RKM.