

Court No. - 18

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 1039 of 2023

Petitioner :- Subedar

Respondent :- State Of U.P. Thru. Addl. Chief Secy. Deptt. Of Revenue Lko. And 8 Others

Counsel for Petitioner :- Vivek Kumar Verma, Shalini Gupta

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

Hon'ble Saurabh Lavania, J.

Heard.

Present petition has been filed for removal of illegal encroachment of private opposite parties over Gata No.1549 situate at Village-Pooredin Namgarh, Pargana and Tehsil-Ekauna, District-Shrawasti, which is recorded as Khalihan, in the revenue record.

Learned counsel for the State, on the basis of the instructions dated 06.11.2023 placed before this Court, which is taken on record, stated that after enquiry it was found that Shaymta, Umanath, Omkar and Satyaprakash S/o Ram Sanahi, are in illegal occupation over the Gata in dispute and considering the same proceedings against these persons have been initiated under Section 67(1) of U.P. Revenue Code, 2006. The case registered against these persons is Case No.T202308620206365 in which next date fixed is 06.12.2023.

He further submitted that the aforementioned cases would be decided within the statutory period i.e. 90 days, if there is no other legal impediment as prescribed in Rule 67(6) of the U.P. Revenue Code Rules, 2016.

Considering the aforesaid, this Court is of the view that no

fruitful purpose would be served in keeping the present petition pending.

Accordingly, the writ petition is ***disposed of*** with the direction to Tehsildar, Tehsil-Ekauna, District-Shrawasti to conclude the proceedings of aforesaid case as per the procedure prescribed under Section 67 read with Rule 67 of the U.P. Revenue Code Rules, 2016, if there is no legal impediment. The District Magistrate, Shrawasti shall also supervise the authority concerned so that the aforesaid cases related to encroachment be decided expeditiously.

Order Date :- 7.11.2023

Vinay/-