

Court No. - 6

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 1053 of 2023

Petitioner :- Phool Chandra

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

Counsel for Petitioner :- Bhupendra Yadav, Ashwini Kumar Ojha

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

Hon'ble Rajnish Kumar, J.

Heard Sri Bhupendra Yadav learned counsel for the petitioner.

This petition has been filed for removal of illegal encroachment of public utility pond land recorded as ponds of old Gata no.1518, 1536 mi. 1554/new Gata 1532, 1534 situated at Village-Jhingur, Pargana Dhingwas, Tehsil-Kunda District-Pratapgarh as total area of the pond land.

Learned counsel for the petitioner submits that the petitioner in regard to the aforesaid illegal encroachment along with others made a representation to the opposite party no.2/Commissioner Prayagraj Mandal Prayagraj on which a report has been called on the basis of spot inspection and order has been passed that till the report is submitted no illegal sale would be made vide order dated 14.09.2023 but till date neither the report has been submitted nor further action has been taken.

Learned Standing counsel on the basis of instruction submits that land in question has been directed to be recorded under Section 48(3) of the U.P Consolidation of Holdings, Act as pond land. He further submits that some portion of the land is coming in the Ganga Expressway, therefore, after spot inspection, appropriate decision shall be taken on the representation of the petitioner expeditiously.

In view of the above, without entering into merits of the case, the petition is **disposed of** in terms of the statement of the learned Standing counsel on the basis of instructions received by him with a direction to the concerned authority to consider and dispose of the representation of the petitioner in accordance with law expeditiously and communicate the same to the petitioner.

(Rajnish Kumar, J.)

Order Date :- 9.11.2023/Harshita