

Court No. - 17

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 1055 of 2023

Petitioner :- Ramnath

Respondent :- Dist. Magistrate/Collector, Sultanpur And 6 Others

Counsel for Petitioner :- Virendra Kumar Shukla

Counsel for Respondent :- C.S.C.

Hon'ble Alok Mathur,J.

1. Heard learned counsel for petitioner as well as learned Standing Counsel for respondents no.1 to 3.
2. In light of the proposed order, notices to private respondents are dispensed with.
3. Petitioner has approached this court seeking a direction to respondent No. 1 to evict the private respondents who have encroached over the land gata no.1000, 1001, 1017-da, 1017-cha situated in village Behrabhari, Pargana - Aldemau, Tehsil Kadipur, District Sultanpur expeditiously.
4. Learned counsel for petitioner submits that private opposite parties no.4 to 7 have illegally encroached on gata no.1000 which is recorded as banjar, gata no.1001 recorded as gaon sabha land, gata no.1017 - da recorded as banjar and gata no.1017 cha situated at village Behrabhari, pargana - Aldemau, Tehsil - Kadipur, District - Sultanpur.
5. 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.
6. Learned counsel for petitioner at this stage submits that petitioner may be given liberty to move a fresh application under Section 67 of U.P. Revenue Code, 2006 before the competent

authority.

7. Accordingly, without entering into merits of the case, the writ petition, is disposed of with a liberty to the petitioner to move a fresh application before the competent authority in this regard 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, say within a period of period of four months.

Order Date :- 24.11.2023
mks

(Alok Mathur, J.)