

Court No. - 18

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 1085 of 2023

Petitioner :- Amar Singh

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

Counsel for Petitioner :- Aditya Tiwari

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

Hon'ble Shree Prakash Singh, J.

Heard learned counsel for the petitioner, Sri Shailendra Kumar Singh, learned Chief Standing Counsel, assisted by Sri Yogesh Kumar Awasthi, learned Standing Counsel for the State, Sri Mohan Singh, learned counsel for the Gaon Sabha and perused the material placed on record.

Learned counsel appearing for the petitioner submits that over the land of Gata no. 901, the opposite parties no. 6 & 7 are raising constructions and they are having unlawful possession over there. He added that certain other persons are also having unlawful possession over the Gata No. 901 so far as the rest portion is concerned. He added that the opposite parties no. 6 & 7 are still raising constructions over there.

On the other hand, learned Chief Standing Counsel on the basis of instructions, submitted that on 22-06-2023, the opposite parties no. 6 & 7 were restrained to make any construction over the land in question and the proceedings under section 66 of the Land Revenue Code, 2006 are going on against the persons, in whose favour, the lease was unlawfully granted. He added that no construction is being done over the land in question.

In view of the aforesaid submissions, the District Magistrate as well as the Sub.Divisional Officer concerned are hereby directed to complete all the proceedings under sections 66 & 67 of the Land Revenue Code, 2006. Unless these proceedings come to it's logical end, no person shall be allowed to make any construction over the land in question.

With the aforesaid observations, the instant petition is hereby **allowed**.

The petitioner is further given liberty to approach this court again in case there is any construction started over there.

Personal appearance of opposite party no. 3 is hereby exempted.

Order Date :- 18.12.2023

AKS