

Court No. - 1

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 1094 of 2023

Petitioner :- Praveen Kumar Dubey

Respondent :- Union Of India Thru. Secy. Ministry Of Defence , New Delhi And Others

Counsel for Petitioner :- Dinesh Kumar Mishra,Akhilesh Kumar Pandey

Counsel for Respondent :- A.S.G.I.,Ashish Chaturvedi,C.S.C.

Hon'ble Attau Rahman Masoodi,J.

Hon'ble Om Prakash Shukla,J.

1. Heard learned counsel for the petitioner, Shri S.B. Pandey, Senior Advocate and Deputy Solicitor General of India assisted by Shri Dev Rishi Kumar Arora, learned counsel for the respondent Nos.1 to 3, learned Standing Counsel for State-respondent Nos.4 to 9 and Shri Arvind Kumar Yadav, holding brief of Shri Ashish Chaturvedi, learned counsel for respondent No.10- Ayodhya Development Authority.

2. This petition filed in public interest has raised a grievance with respect to the illegal encroachment upon the land notified for the use as rifle range vide notification dated 20.01.2021 issued under sub-section (2) of Section 9 of the Manoeuvres, Field Firing and Artillery Practice Act, 1938.

3. An area of about 13391 acres situated in various villages mentioned in the scheduled was reserved for this purpose. Encroachment upon any part of the said land is primarily to be taken care of by the Ministry of Defence itself but in any case,

if the cooperation of civil administration is sought to remove any such encroachment, it shall be obligatory on the State machinery to extend necessary support to the army as has been prayed for vide letter dated 11.02.2023.

4. We make it clear that the State land as entrusted to the Ministry of Defence cannot be allowed to be encroached upon or dissipated otherwise in derogation of law.

5. With this direction, the instant P.I.L. is **disposed of**.

6. The Ayodhya Development Authority is also directed not to sanction plans without due verification of the title of land.

(Om Prakash Shukla, J.) (Attai Rahman Masoodi, J.)

Order Date :- 24.11.2023
Shubhankar