

**Court No. - 8**

**Case :-** PUBLIC INTEREST LITIGATION (PIL) No. - 1101 of 2023

**Petitioner :-** Bachai

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

**Counsel for Petitioner :-** Aishwarya Pandey, Abhishek Mishra, Saubhagya Mishra

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

**Hon'ble Pankaj Bhatia, J.**

1. Heard learned Counsel for the petitioner and learned Standing Counsel.
2. The present petition has been filed by the petitioner alleging the encroachment over the Gaon Sabha land bearing Gata Nos.657 and 659 as well as Gata Nos.647 and 648, which are respectively recorded as *Khalihan* and Pond.
3. Learned Standing Counsel has produced instructions to state that with regard to the Gata Nos.647 and 648, the land in question is recorded as Pond, for which proceedings for eviction have been initiated under Section 67 of the U.P. Revenue Code and 04.12.2023 is the next date fixed.
4. As regards the Gata Nos.657 and 659, the instructions states that the land in question is recorded as *Khalihan* and is vacant at present and no unauthorized obstructions are seen over the said land.
5. The contention of the Counsel for the petitioner is that no doubt, the proceedings under Section 67 of the U.P. Revenue Code have been initiated in respect of the land bearing Gata Nos.647 and 648, however, with regard to Gata Nos.657 and 659, it is revealed that the private respondents had unauthorizedly grown their crops and have harvested the same also, for which, a complaint was given and directions were issued for lodging of the FIR but nothing was done.
6. In view of the said arguments and the instructions, which are taken on record, the present writ petition is disposed off directing the respondents to conclude the proceedings initiated under Section 67 of the U.P. Revenue Code in accordance with law with all expedition preferably within a period of six months

from the date of production of certified copy of this order.

7. With regard to the allegations of continuous encroachment over Gata No.657 and 659, the present writ petition is disposed off directing the District Magistrate, Sultanpur to ensure that no encroachment shall take place over the said land by anyone in future.

8. As regards the encroachment in the past, steps shall be taken in accordance with law, if the allegations are found to be correct.

9. With the abovesaid observations and directions, the writ petition stands ***disposed off***.

**Order Date :- 29.11.2023**

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