

Court No. - 8

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 1102 of 2023

Petitioner :- Jaan Mohammad

Respondent :- State Of U.P. Thru. Prin. Secy. Revenue Deptt.
Lko And 7 Others

Counsel for Petitioner :- Saubhagya Mishra, Abhishek Mishra

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

Hon'ble Pankaj Bhatia, J.

1. The present petition has been filed with the following prayers:

"i. Issue a writ, order or direction in the nature of Mandamus directing the opposite parties concerned to initiate proceeding under section 67 of Uttar Pradesh Revenue Code 2006 and remove the unauthorized possession/construction from the public Gaon Sabha land bearing Gata no.784 Mi measuring area 0.1920 Hectare (Gair Mumkin Land) situated at Village-Mungar, Paragna- Barausa, Tehsil Jaisinghpur, District-Sultanpur after concluding the proceedings expeditiously.

ii. Issue a writ, order or direction in the nature of Mandamus directing the opposite parties concerned to demarcate and maintain the shape of the above- mentioned Gaon Sabha Land and recover the damages etc. from the private opposite party, which have been caused by him to the state exchequer by their illegal act and omission.

iii. Issue a writ, order or direction in the nature of Mandamus directing the opposite party no.1 & 2 to take necessary action against opposite party no.3 to 5 for Contemptuous act for ignoring directives/guidelines issued by the Hon'ble Apex Court."

2. The learned Standing Counsel has produced the instructions demonstrating that for removal of the encroachment, a suit has already been filed, in which, 09.12.2023 is the next date fixed for hearing. The instructions are taken on record.

3. Considering the said instructions, the present petition is ***disposed off*** with directions to the authority concerned to decide 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.

Order Date :- 29.11.2023

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