

Court No. - 19

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 1145 of 2023

Petitioner :- Aftab Hasan Khan

Respondent :- State Of U.P. Thru. Prin. Secy. Revenue Deptt. Lko. And 5 Others

Counsel for Petitioner :- Mohiuddin Khan

Counsel for Respondent :- C.S.C., Pankaj Gupta

Hon'ble Jaspreet Singh, J.

Heard learned counsel for the petitioner.

Notice on behalf of respondent Nos.1 to 4 has been accepted by the office of Chief Standing Counsel.

By means of the instant petition filed in the nature of public interest litigation, the petitioner has raised an issue regarding encroachment made by private respondent No.6 in respect of plot No.27/1, 27/3 and 27/5 situate in village Aimaraje Mohammad Hayat Uparhar, Pargana- Kunda, Teshil- Kunda, District- Pratapgarh, which as per the petitioner is recorded as *Banzar* land in the revenue records.

This Court by means of the order dated 12.12.2023 has directed learned Standing Counsel to seek instructions.

Shri Devendra Mohan Shukla, learned Standing Counsel has provided the copy of the written instructions dated 12.12.2023, which is being filed under the signatures of the Teshildar and SDM, Kunda, which is taken on record.

From the perusal of the aforesaid instructions, it has been indicated that a team was constituted of the revenue authorities along with police and Nagar Panchayat, Manikpur, who made a spot inspection and found that insofar as the plot No.27/1, 27/3 and 27/5 is concerned, there is no encroachment. It has also been stated that the said land has been demarcated and for the aforesaid reason, it is prayed that there is no encroachment and petition does not survive.

Considering the aforesaid, this Court is satisfied that the issue raised by the petitioner stands already redressed. There is no purpose in keeping the petition pending.

The petition is disposed of in the light of the report submitted by the revenue authorities.

Order Date :- 20.12.2023

Ashutosh Pandey