

Court No. - 8

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 1146 of 2023

Petitioner :- Sushil Agrhari

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

Counsel for Petitioner :- Satish Kumar

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 commanding/ directing the opposite parties to remove the illegal encroachment and illegal construction on land Gata No.71 which is mentioned as Talab (Pond) and Gata No.72 which is mentioned as Navin Parti in the revenue record situated in Village Khanuhat, Pargana Aldemau, Tehsil Jaisinghpur, District Sultanpur.

(ii) Issue a writ, order or direction in the nature of mandamus commanding/ directing the opposite parties to get free the land Gata No.71 and Gata No.72 situated in Village Khanuhat, Pargana Aldemau, Tehsil Jaisinghpur, District Sultanpur from the illegal possession of the opposite parties No.6 to 8 forthwith and to restore its original position, in the interest of justice."

2. The learned Standing Counsel has produced the instructions to demonstrate that against the encroachers, proceedings under Section 67 of the U.P. Revenue Code have already been initiated and the matter is pending adjudication.

3. In view thereof, the present petition is ***disposed off*** directing the respondents to decide Case No.T202304680700499 (Gaon Sabha vs Suresh Kumar), Case No.T202304680700492 (Gaon Sabha vs Raj Bahadur), Case No.T202304680700498 (Gaon Sabha vs Rakesh Kumar) and Case No.T202304680705542 (Gaon Sabha vs Sobhawati) with all expedition preferably within a period of three months from the date of production of a certified copy of this order.

4. The instructions produced by the learned Standing Counsel is taken on record.

Order Date :- 12.12.2023

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