

Court No. - 18

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 1180 of 2023

Petitioner :- Devi Prasad

Respondent :- State Of U.P. Thru. Secy. Revenue Deptt. Civil Sectr. Lko. And 4 Others

Counsel for Petitioner :- Anil Kumar Tiwari

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

Hon'ble Shree Prakash Singh,J.

Heard learned counsel for the petitioner, Sri Hemant Pandey, learned Standing Counsel for the State and Sri Mohan Singh, learned counsel for the Gaon Sabha.

Instant petitioner has been filed with the following prayers:-

"i.) Issue a writ, order, or direction in the nature of Mandamus commanding the opposite parties nos. 1, 2 and 3 to initiate steps to vacate the Gram Sabha's land having land Gata No.604/0.2630 hectare as well as Gata No.492 Kha/0.0970 hectare as well as Gata No.493Kha/0.0060 hectare recorded in revenue record as "Ponda and way" land of Village and Pargana Majruddinpur (Paschimrath),Tehsil Bikapur, District Ayodhya from illegal encroachments, within specified time and to protect the common rights of villagers, in the interest of justice.

ii.) Issue a writ order or direction in the nature of mandamus commanding the opposite parties to decide the representation moved by the petitioner (Annexure No.3) within stipulated time fixed by this Hon'ble Court."

On the basis of instructions, learned counsel for the State submits that that the proceedings under Section 67 of the U.P. Land Revenue Code, 2006 has already been initiated/instituted with respect to Gata No.604 which is claimed to be pond land and which is unlawfully possessed by certain villagers. He added that the said proceedings would be completed at the earliest. He also submitted that so far as the other Gata Nos. 492Kha, 493Kha is concerned, demarcation would be done and if it is found that there is unlawful possession over the same being the Gaon Sabha land, the proceedings under Section 67 of the U.P. Land Revenue Code, 2006 would be initiated.

In view of the aforesaid, instant petition is **disposed of** with the

direction to the opposite party no.4 to decide the case which was instituted under Section 67 of the U.P. Land Revenue Code, 2006 with respect to Gata No.604 within a period of three months from the date of the production of certified copy of this order.

It is further observed that so far as other Gata Nos.492Kha and 493Kha are concerned, if those are land of Gaon Sabha and unlawful encroachment is over the same, appropriate proceedings would be initiated at the earliest by the State Government.

Consigned to the records.

Order Date :- 19.12.2023

Ram Murti