

Court No. - 19

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 1173 of 2023

Petitioner :- Safik Khan

Respondent :- State Of U.P. Thru. Prin. Secy. Revenue, Lucknow And 11 Others

Counsel for Petitioner :- Bal Krishna Shukla

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

Hon'ble Jaspreet Singh, J.

Heard learned counsel for the petitioner. Notice on behalf of the respondents No.1 to 4 has been accepted by the office of Chief Standing Counsel. Shri Pankaj Gupta, learned counsel has accepted notice for the respondent No.5.

The instant petition has been filed in the nature of Public Interest Litigation seeking a direction in the nature of mandamus commanding the respondents No.2, 3 and 4 to remove the encroachment of Gata No.703/0.068, Gata No.706/0.028, Gata No.783/0.105, Gata No.702/0.049 and Gata No.776/0.057 which is said to have been encroached by the private-respondents.

The submission of the learned counsel for the petitioner is that the petitioner had made a complaint to the District Magistrate concerned, however, no action has been taken. In the aforesaid backdrop, the petitioner has approached this Court seeking the aforesaid remedy.

Having considered the aforesaid submissions and from a perusal of the material on record, apparently, the petitioner has not disclosed his credential as required in terms of Chapter-XXII Rule 1(3-A) of the Allahabad High Court Rules, 1952. The nature of dispute which is raised as well as the fact that it is the private-respondents, who have allegedly encroached the gaon sabha's land which is recorded as reserved land, the petitioner having alternate and efficacious remedy of moving under the provisions of U.P. Revenue Code, 2006.

Accordingly, this Court is not inclined to entertain the aforesaid petition leaving it open for the petitioner to approach the appropriate authority in accordance with provisions as available in law.

With the aforesaid, the petition is **dismissed**.

Order Date :- 19.12.2023

Rakesh/-