

Court No. - 18

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 1187 of 2023

Petitioner :- Ramapati Sharma

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

Counsel for Petitioner :- Sudhir Kumar Rai

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

Hon'ble Shree Prakash Singh,J.

Heard learned counsel for the petitioner, learned Standing Counsel for the State, Sri Vijay Kumar Yadav, Advocate, holding brief of Sri Mohan Singh, learned counsel for the Gaon Sabha and perused the material placed on record.

By means of this petition, the petitioner has prayed for issuing mandamus directing the respondent no.4 to decide the representation dated 28.11.2023 moved by the petitioner as early as possible. Further prayer is to issue mandamus directing the Tehsildar, Tehsil Bikapur, District Ayodhya-respondent no.4 to remove the unlawful possession of respondent no.6 from the Gata No.73 (Khalihan), Gata No.74 (Ghur-gaddha), Gata No. 77, which is recorded as Chakmarg in the revenue record, situated in Gram Sabha Umapur Vaad Farosa Pargana Pashchim Rath, Tehsil Bikapur, District Ayodhya.

Learned counsel for the petitioner submits that the private respondent no.6 is having unlawful possession over the land in question, i.e, Khalihan, Ghur-gaddha, chak marg. He added that even after several complaints made, unlawful possession was not removed by the authorities concerned.

On the other hand, learned counsel for the State, on the basis of instructions dated 16.11.2023, which has been placed before this Court and the same is taken on record, submitted that the unlawful possession as is claimed has already been removed and there is no possession of the respondent no.6 over the land in question.

In view of the aforesaid, instant petition has become infructuous, which is hereby **dismissed**.

However, it is open to the petitioner to approach this Court again if there is further any unlawful possession over the land in question.

Order Date :- 21.12.2023/Ram Murti