

Court No. - 7

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 1078 of 2024

Petitioner :- Santosh Kumar

Respondent :- State Of U.P. Thru. Secy. Revenue Deptt. Lko And 9 Others

Counsel for Petitioner :- Abdul Khabeer

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

Hon'ble Pankaj Bhatia,J.

1. Heard learned counsel for the petitioner and learned Standing Counsel for the State.

2. Present petition has been filed with the following prayer:

"(i) Issue a writ, order or direction in the nature of mandamus directing the opposite parties particularly the opposite parties no.2 to 7 to ensure release of Ponds viz. Gata No.____92, 225, 411 and Sadal Zila Parishad viz. Gata No.142 situates at Village Gaura Kamal, Pargana Surhampur, Tahsil Jalalpur, District Ambedkar Nagar after demarcation and also to remove the illegal encroachments which have been done over the same."

3. Learned Standing Counsel, based upon instructions, states that in respect of Gata No.92 & 411, the pond exists on the property and there is no encroachment. With regard to Gata No.225 it is stated that the person occupying the property has given an affidavit that on account of marriage in his family, he would remove the offending construction after February, 2025 and in respect of Gata No.142, a recall application has been filed by the encroacher which is pending.

4. In view thereof, present petition is ***disposed off*** with direction to decide the recall application within three months. With regard to construction standing at Gata No.225, the steps shall be taken after February, 2025.

Order Date :- 18.12.2024

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