

**Court No. - 49**

**Case :-** PUBLIC INTEREST LITIGATION (PIL) No. - 1946 of 2025

**Petitioner :-** Gaurav Khokhar

**Respondent :-** State Of U.P. And 23 Others

**Counsel for Petitioner :-** Awadh Narain Rai

**Counsel for Respondent :-** C.S.C.,Sunil Kumar Singh

**Hon'ble J.J. Munir,J.**

The petitioner alleges encroachment by respondent nos. 5 to 24 in plot nos. 217/0.7110 hectare (*khalihan*), 151/0.7870 hectare (*johad*), 232/0.4490 hectare and 234/0.0250 hectare, both recorded as *khad a gaddha*, 237/1.1100 hectare (*banjar*) and 216/0.0160 hectare (public utility land), all situate at Village-Tilwara, Tehsil-Baraut, District- Baghpat.

Learned Counsel for the petitioner has drawn the attention of the Court to the extract of the *khatauni* at page nos. 15, 16, 17 and 18 of the paper book.

Issue notice.

Notice on behalf of respondent nos. 1 to 3 is accepted by Mr. Rajesh Kumar Tiwari, learned Additional Chief Standing Counsel and that on behalf of respondent no. 4 by Mr. Sunil Kumar Singh, Advocate. Both the learned Counsel for the respondents are granted two weeks' time to file counter affidavits.

Steps to serve respondent nos. 5 to 24 shall be taken by R.P.A.D. within three days.

List for **admission** on **12.08.2025** at the top of the list, along with a report regarding service and the postal track attached. A report

regarding status of pleadings shall also be made by the office.

Apart from the counter affidavits to be filed on behalf of the respondents, generally answering the petitioner's case in this writ petition, the District Magistrate, Baghpat and the Sub Divisional Officer, Tehsil- Baraut, District- Baghpat shall file their own affidavits, indicating if plot nos. 217/0.7110 hectare , 151/0.7870 hectare , 232/0.4490 hectare and 234/0.0250 hectare, 237/1.1100 hectare and 216/0.0160 hectare , situate at Village-Tilwara, Tehsil- Baraut, District- Baghpat are recorded as (*khalihan, johad, khad a gaddha, banjar* and public utility land respectively, if it is so, whether there is encroachment in the aforesaid plots, made by respondent nos. 5 to 24 or anyone else; and if encroachment is there, what steps have been taken to remove the encroachment.

Let this order be communicated to the District Magistrate, Baghpat and the Sub Divisional Officer, Tehsil- Baraut, District- Baghpat through the learned Chief Judicial Magistrate, Baghpat by the Registrar (Compliance) **within 48 hours**.

**Order Date :- 28.7.2025**

Deepak