

**Court No. - 8**

**Case :-** WRIT - A No. - 7254 of 2022

**Petitioner :-** Bharat Kishore Sinha

**Respondent :-** State Of U.P. Thru. Addl. Chief Secy. Prin.Secy. Irrg. Water Resources Deptt. Lko. And 2 Others

**Counsel for Petitioner :-** Shambhoo Sharan Lal Srivastava

**Counsel for Respondent :-** C.S.C.

**Hon'ble Dinesh Kumar Singh,J.**

1. In compliance of the order dated 12.04.2023 Ms. Shivani Tiwari, Superintendent of Police, C.B.I./A.C.B. is present in the Court along with Sri Anurag Singh, learned counsel appearing for the C.B.I.
2. Sri Anurag Singh, learned counsel appearing for the C.B.I. submits that a decision has been taken to constitute an S.I.T. under Ms. Shivani Tiwari to investigate the matter and submit a preliminary enquiry report. He on instructions submits that the S.I.T. would require four months' time to complete the preliminary investigation, and submit a report before this Court, however, in every month progress report be submitted to this Court.
3. Considering the aforesaid submissions on behalf of the C.B.I., Director C.B.I. should constitute an S.I.T. for which the decision has already been taken, and the S.I.T. will submit a progress report on or before 24.05.2023 before this Court. Final report should be submitted by 22.08.2023. The said S.I.T. will work under the supervision of Joint Director, C.B.I., Lucknow Region.
5. In pursuance of the order dated 12.04.2023, Engineer-in-Chief is present in the Court. He assures the Court that he will supply all the relevant documents to the C.B.I. within a period of one week from today so that the C.B.I. may carry out the investigation in a free, fair, impartial and professional manner.
6. Second action taken report by the Irrigation Department of the State Government has been tendered today in the Court with an affidavit of Sri Mukesh Kumar Vaish, Executive Engineer, Lucknow Division-2, Sarda Canal, Lucknow which would show that debris after

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demolition of the unauthorized structure has been removed.

7. Engineer-in-Chief present in the Court assures the Court that every particles of the debris would get removed within a period of 10 days from today. He further assured the Court that proper proceedings under the provisions of U.P. Revenue Code, 2006 shall be instituted for levying the damages/penalties against the encroachers.

**8. List this case on 05.05.2023 peremptorily.**

9. An affidavit shall be filed by the Engineer-in-Chief by the next date of listing of the case. Once Vigilance enquiry gets concluded, a copy thereof, shall be handed over to the C.B.I. for its perusal and taking it on record. Housing and Urban Development, Lucknow Department of the State Government and Lucknow Development Authority shall give all the necessary documents to the C.B.I., which may be required for proper investigation.

10. Interim order, if any, shall continue to operate till the next date of listing of the case.

11. Personal appearances of the officers/officials are dispensed with till further orders.

**(Dinesh Kumar Singh, J.)**

**Order Date :- 21.4.2023**  
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