



2026:AHCLKO:11077

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

PUBLIC INTEREST LITIGATION (PIL) No. - 109 of 2026

Lokesh Singh Patel

.....Petitioner(s)

Versus

State Of U.P. Thru. Secy. Revenue U.P. Lko. And 12
Others

.....Respondent(s)

Counsel for Petitioner(s)

: Rajan Singh

Counsel for Respondent(s)

: C.S.C., Pankaj Gupta

Court No. - 17

HON'BLE SUBHASH VIDYARTHI, J.

1. Heard Shri Rajan Singh, the learned counsel for the petitioner, Shri Dheeraj Ojha, the learned Standing Counsel for the State and Shri Mohd. Talib Khan, Advocate holding brief of Shri Pankaj Gupta, the learned counsel for the Gaon Sabha.

2. By means of the instant petition filed in public interest, the petitioner has sought issuance of a direction for removal of encroachment made over Plot Nos.480 measuring 0.02304 Hectare, 483 measuring 0.0570 Hectare, which is recorded as *Rasta* and Plot No.485 measuring 0.00504 hectare, 504 measuring 0.019 Hectare, which is recorded as *Ghur Gaddha* situated at Village Rajmalpur, Pargana and Tehsil- Patti, Pratapgarh.

3. On the basis of written instructions provided by the S.D.M., Patti, Pratapgarh, the learned standing Counsel has informed that presently, a crop has been sown on the public land and, therefore, its measurement is difficult.

4. The instructions do not deny that encroachment has been made on public road by sowing crop thereon.

5. The written instructions are taken on record.

6. The learned counsel for the petitioner submits that previously also, the *Rasta* in question has been encroached repetitively by sowing crop thereon.

7. When it is not disputed that the land which is encroached by making cultivation is a *Rasta*, the authorities must take action for restoration of

public passage in accordance with law.

8. Accordingly, the instant petition is **disposed off** by issuing a direction to the opposite party Nos.2 and 4- Collector, Pratapgarh and Land Management Committee of Village- Rajmalpur, Pargana and Tehsil-Patti, Pratagarh respectively, to ensure appropriate action be taken expeditiously, in accordance with law, for removal of encroachment made on the aforesaid land.

February 12, 2026

-Amit K-

(Subhash Vidyarthi,J.)