



2026:AHC-LKO:12080

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

PUBLIC INTEREST LITIGATION (PIL) No. - 120 of 2026

Dheeraj

.....Petitioner(s)

Versus

State Of U.P. Thru. Prin. Secy. Deptt. Revenue Lko. And 5
Others

.....Respondent(s)

Counsel for Petitioner(s)	: Hari Om Gupta, Aneeta Yadav, Karam Chand Yadav
Counsel for Respondent(s)	: C.S.C., Pankaj Gupta

Court No. - 17

HON'BLE SUBHASH VIDYARTHI, J.

1. Heard Shri Hari Om Gupta, the learned counsel for the petitioner and Shri Rahul Shukla, the learned Additional Chief Standing Counsel for the State of U.P.

2. By means of the instant petition filed under Article 227 of the Constitution of India, the petitioner has sought issuance of a direction for removal of illegal encroachment made over the land bearing Gata No.576 measuring 0.2560 hectare situated at Village Panchayat Gharuwa (Gharua Sharki), Tehsil- Kaiserganj, Bahraich.

3. On the basis of written instructions provided by Tehsildar, Kaiserganj, Bahraich, the learned Additional Chief Standing Counsel has submitted that an overhead water tank had been constructed upon a portion of land under Jal Jeevan Mission. Besides that, some persons had made encroachment by raising constructions on the land. Although Regular Suit No.993 of 2020 title *Ram Pal v. Baijnath and Ors* in the Court of Civil Judge (J.D.), Kaiserganj, Bahraich, no stay order has been passed in that suit. Further, the State Government is not a party to the suit. Therefore, the pendency of that suit or even any order passed in that suit would not bind the State Government.

4. Proceedings under Section 67 of U.P. Revenue Code bearing Case No.T202308150305664 were instituted in respect of encroachment made by one person and in that case, an order has been passed on 06.11.2023. Proceedings are yet to be instituted against the other encroacher.

5. Accordingly, the instant petition is **disposed off** by issuing a direction to Tehsildar, Kaiserganj, Bahraich to ensure implementation of the order dated 06.11.2023 passed in Case No.T202308150305664 titled *Gaon Sabha v. Anuj* expeditiously and to institute proceedings under Section 67 of the U.P. Revenue Code 2006 for removal of encroachment made on land bearing Gata No.576 by Rampal S/o Ramsamujh and get the same decided expeditiously, in accordance with law.

February 16, 2026

-Amit K-

(Subhash Vidyarthi,J.)