



2026:AHC-LKO:12668

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

PUBLIC INTEREST LITIGATION (PIL) No. - 95 of 2026

Ram Adhar

.....Petitioner(s)

Versus

State Of U.P. Thru. Addl. Chief Secy. / Prin. Secy.
Deptt. Of Revenue Lko And 7 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Hemant Kumar Mishra, Abhishek Mishra, Arti Ganguly
Counsel for Respondent(s)	: C.S.C., Mohan Singh

Court No. - 17

HON'BLE SUBHASH VIDYARTHI, J.

1. Heard Shri Hemant Kumar Mishra, learned counsel for the petitioner, Shri Dheeraj Ojhan, the learned Standing Counsel for the State and Shri Mohan Singh, the learned Standing Counsel for the Gaon Sabha (opposite party no.5).
2. By means of the instant writ petition filed in public interest, the petitioner has sought issuance of a direction for removal of encroachment made over the land Gata No. 113 measuring 0.161 hectare and the Gata No. 118 measuring 0.3420 hectare, situated in village Bayalmau, Pargana Fatehpur, Tehsil Ram Nagar, District Barabanki. The petitioner has also sought a direction commanding opposite parties for taking action against illegal redemption of land bearing Gata No. 114, which is recorded as Manure Pit, construction of road. It has been stated in the writ petition that previously the petitioner had filed PIL No. 24915 of 2020, which was disposed of after recording plea taken in the counter affidavit filed by the opposite parties that the proceedings under Section 67 of U.P. Revenue Code, have already been initiated for removal of encroachment made on land bearing Gata No. 113/118, the petition was disposed of with direction to the Tehsildar to conclude proceeding, in accordance with law, expeditiously.
3. Learned counsel for the petitioner has submitted that in spite of aforesaid direction the encroachment has yet not been removed.

4. Learned Standing Counsel has submitted on the basis of written instruction provided by Tehsildar, Ram Nagar, District Barabanki that the dispute between the petitioner and the opposite parties no. 6 to 8 FIR No. 243/2003 was filed in Police Station Fatehpur, Barabanki for commission of offences under Sections 506, 336, 323, 34 IPC from the side of the petitioner against the private opposite parties, regarding laying bricks on the passage in dispute. Regarding substantive contention of the petitioner that the land recorded as Manure Pit is being used as passage, it has been stated in the written statement that the passage is not constructed on land bearing Gata No. 114, which is recorded as Manure Pit, rather it is constructed on land bearing Gata No. 113, which is recorded as passage. Regarding the other contention of encroachment having been made on the land bearing Gata No. 118, it is stated in the instruction that Gata No. 114 is recorded as Manure Pit. Some encroachments were found on land bearing Gata No. 118, which is recorded as passage. Proceedings under Section 67 of U.P. Revenue Code were instituted for removal of the encroachment and dispossession order was passed on 26.07.2019. An appeal was filed against the order dated 26.07.2019, which has been dismissed on 04.07.2024. One case under Section 67 of the U.P. Revenue Code was instituted against one Dinesh, who died during pendency of the proceedings and thereafter fresh proceeding under Section 67 of the U.P. Revenue code has been instituted against his wife Radha Devi (the opposite party no.7 to this petition), which is pending before the Tehsildar, (Judicial) Ram Nagar, District Barabanki and which is fixed for 17.02.2026.

5. Keeping in view the aforesaid fact, this petition is **disposed of** by issuing a direction to the opposite parties to ensure implementation of the order dated 26.07.2019 passed by the Tehsildar, Ram Nagar, District Barabanki in case of T201904120400638, which has been affirmed by means of an order dated 04.07.2024, passed by the District Magistrate, Barabanki, expeditiously, in accordance with law, by filing an application under paragraph 460 of the Revenue Court Manual, expeditiously, say within a period of one month from today and the order shall be implemented with all possible expedition. Further, the proceedings of Case No.T201904120400638, shall also be conducted expeditiously and

be concluded without granting any unnecessary adjournments to any of the parties and compliance of which also be ensured, in accordance with law.

(Subhash Vidyarthi,J.)

February 17, 2026

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