



2026:AHC-LKO:13924

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

PUBLIC INTEREST LITIGATION (PIL) No. - 152 of 2026

Hasmat Ali

.....Petitioner(s)

Versus

State Of U.P. Thru. Addl. Chief Secy. Revenue
Deptt. Lko. And 10 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Ajay Pratap Singh, Ashutosh Singh
Counsel for Respondent(s)	: C.S.C., Shailendra Singh Chauhan

Court No. - 17

HON'BLE SUBHASH VIDYARTHI, J.

1. Heard Sri Ajay Pratap Singh, the learned counsel for the petitioner, Sri Vikas Rai, the learned Standing Counsel appearing on behalf of the State, Sri Shailendra Singh Chauhan, the learned counsel for the opposite parties no.3 and 6 and perused the records.
2. By means of the instant petition filed in public interest the petitioner has sought issuance of a direction for removal of encroachments made on waqf land.
3. It is pleaded in the writ petition that the land is graveyard belonging to a registered waqf and the petitioner is a mutavalli of the waqf.
4. The learned counsel for the opposite parties have raised a preliminary objection that the petition filed by a mutawalli of a waqf for removal of encroachment from a waqf land is not maintainable and the waqf has got a statutory remedy under Section 54 of Waqf Act and in case any grievance remains thereafter the petitioner may have remedy before Waqf Tribunal.
5. In view of above, the petition is **dismissed** with liberty to the petitioner as aforesaid.

February 20, 2026

Ram.

(Subhash Vidyarthi,J.)