



2026:AHC-LKO:14298

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

PUBLIC INTEREST LITIGATION (PIL) No. - 103 of 2026

Basant Kumar

.....Petitioner(s)

Versus

State Of U.P. Thru. Prin. Secy. Revenue Lko And 11
Others

.....Respondent(s)

Counsel for Petitioner(s) : Narendra Gupta
Counsel for Respondent(s) : C.S.C., Dilip Kumar Pandey

Court No. - 17

HON'BLE SUBHASH VIDYARTHI, J.

1. Heard Shri Narendra Gupta, the learned counsel for the petitioner, Shri Dheeraj Ojha, the learned Standing Counsel for the State, Shri Dilip Kumar Pandey, the learned counsel for the respondent No.4-Gaon Sabha and Shri Sameer Singh, the learned counsel for the respondent Nos.5 to 11.

2. By means of the instant petition filed under Article 227 of the Constitution of India, the petitioner has challenged the validity of an order dated 23.01.2009 passed by the Assistant Collector/Pargana Adhikari, Sandila, Hardoi in Case No.13/2008-09 (*Bhumi Prabankadk Samiti Raiso v. Rajiv Kumar and Ors.*) under Section 161 of U.P. Z.A. and L.R. Act whereby the Assistant Collector had accepted a proposal of Land Management Committee dated 18.05.2008 whereby the names of opposite parties recorded as tenure holders of land bearing Gata No.1586, which is recorded as a pond, were struck out and in its place their names were ordered to be recorded as tenure holders of land bearing Gata No.1295 Kha/0.152 hectare, Gata No.386 minjumla measuring 0.225 Hectare, which are recorded as *Banjar* and Gata No.358 measuring 0.643 hectare, which is recorded as *Ushar* land. After allotment of pond land in favour of private opposite part, the same has been exchanged with barren land.

3. Learned counsel for the petitioner has submitted that land bearing Gata No.1586 Minjumla measuring 0.759 hectare is recorded as pond land and pond land could not have been allotted to any person.

4. Learned counsel for official respondents have stated that proceedings for setting aside the order dated 23.01.2009 are pending.

5. The matter requires detailed consideration.
6. Issue notice to the respondent No.12, returnable at an early date.
7. Learned counsel for the petitioner shall take requisite steps in this regard within one week.
8. Respondents may file a counter affidavit within a period of four weeks.
9. The petitioner may file a rejoinder affidavit within a period of one week thereafter.
10. List this case in **week commencing 27.04.2026**.
11. Meanwhile, as an interim measure it is provided that till the next date of listing, parties shall maintain status-quo regarding the nature of land, possession in respect thereof and title of the land in dispute bearing Gata No.1295 Kha/0.152 hectare, Gata No.386/0.225 hectare which is recorded as barren land and Gata No.358/0.643 hectare which is recorded as Ushar land situated in Village Raiso, Pargana and Tehsil Sandila, Block Behndar, Hardoi.

February 23, 2026
-Amit K-

(Subhash Vidyarthi,J.)