



2026:AHC:5803

HIGH COURT OF JUDICATURE AT ALLAHABAD

PUBLIC INTEREST LITIGATION (PIL) No. - 12 of 2026

Amar Kumar

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Amit Kumar Gupta, Shyam Dhar Gupta
Counsel for Respondent(s)	: C.S.C.

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Learned counsel for the petitioner is directed to serve the copy of the instant public interest litigation upon Mr. Bhupendra Kumar Tripathi, learned Counsel who is appearing on behalf of the Land Management Committee, Jaunpur during course of the day.

2. Heard learned counsel for the petitioner, Mr. T.P. Gupta, learned Standing Counsel for the State-respondents and Mr. Bhupendra Kumar Tripathi, learned counsel for the respondent- Land Management Committee.

3. The instant petition has been filed for the following relief:

"issue a writ, order or direction in the nature of mandamus commanding the respondents concerned to get 0.004 hectare area of Gram Sabha property 22/0.158 Hectare (Reserved for Animal Hospital) situated in Village- Tilanga, Pargana & Tahsil- Madiyahun, District- Jaunpur vacated from the illegal encroachment and construction of Cheedi Lal son of Nanku within a short fixed period of time."

4. Learned counsel for the petitioner submitted that in spite of the order passed by Tahsildar under Section 67 of U.P. Revenue Code, 2006 for eviction and damages, the order has not been given effect on spot in proper manner. He further submitted that appropriate direction be issued for removal of illegal encroachment over the plot in question in pursuance of the order passed by the Tahsildar, under Section 67 of U.P. Revenue Code, 2006.

5. I have considered the argument advanced by learned counsel for the petitioner and perused the records.

6. There is no dispute about the fact that the order for eviction and damages was passed under Section 67 of U.P. Revenue Code, 2006 in respect to the plot in question.

7. Under Para 460 of U.P. Revenue Court Manual, the provision has been prescribed for execution of the order passed under Section 67 of U.P. Revenue Code, 2006 as such the public interest litigation cannot be entertained for execution of the order passed under Section 67 of U.P. Revenue Code, 2006.

8. The instant public interest litigation is ***dismissed*** with observation that the appropriate proceeding can be initiated in accordance with law as prescribed under Para 460 of U.P. Revenue Court Manual.

(Chandra Kumar Rai,J.)

January 9, 2026
Rameez