



2026:AHC:5844

HIGH COURT OF JUDICATURE AT ALLAHABAD

PUBLIC INTEREST LITIGATION (PIL) No. - 13 of 2026

Lal Bahadur

.....Petitioner(s)

Versus

State Of U.P. And 8 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Abhishek Yadav, Dhiraj Kumar, Ray Sahab Yadav
Counsel for Respondent(s)	: C.S.C., Sudhir Bharti

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard learned counsel for the petitioner, Mr. T.P. Gupta, learned Standing Counsel for the State-respondents and Mr. Sudhir Bharti, learned counsel for the respondent- Gram Sabha.

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

"(i). issue, a writ, order or direction in the nature of Mandamus commanding and directing the respondents authorities i.e. respondents no. 2 and 3 to remove the encroachment over the land of Arazi No. 285 Minjumla measuring Area 0.057 Hectare & Arazi No. 286 Minjumla measuring Area 0.146 Hectare situated at Village:-Parasa Pandey, Purandrapur, Tappa Lohda, P.O.:-Sonbarsa, Pargana:-Haveli, Tehsil:-Nautanwan, District:-Mahrajganj, which is recorded as Pokhri & Khad-Gadhherespectively in the Revenue Records for the purpose of public interest, in compliance of the order dated 18.12.2020 passed by respondent no. 4/ Tehsildar in Case No. 03437 of 2020 (Computer Case No. T2020 - 05470303437), (Gaon Sabha Versus Waseer / respondent no. 6), Under Section 67 of U.P.

Revenue Code, 2006, Case No. 03439 of 2020 (Computer Case No. T2020 - 05470303439), (Gaon Sabha Versus Nazeer / respondent no. 7) Under Section 67 of U.P. Revenue Code, 2006, Case No. 03440 of 2020 (Computer Case No. T2020 - 05470303440), (Gaon Sabha Versus Ramzan / respondent no. 8) Under Section 67 of U.P. Revenue Code, 2006, Case No. 03442 of 2020 (Computer Case No. T2020 - 05470303442), (Gaon Sabha Versus Masahoor Aalam / respondent no. 9) Under Section 67 of U.P. Revenue Code, 2006 and Case No. 03443 of 2020 (Computer Case No. T2020 - 05470303443), (Gaon Sabha Versus Masahoor Aalam (Madarsa

Prabandhak / respondent no. 9) Under Section 67 of U.P. Revenue Code, 2006 -and penalty imposed against the respondents no. 6 to 9 of Rs. 7.000/-, Rs. 30.000/-, Rs. 3000/-, Rs. 4000/- and Rs. 32,000/- and take suitable action against the encroachers / respondents no. 6 to 9 in accordance with law, otherwise the petitioner as well as public at large shall suffer irreparable loss and hardship."

3. 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.

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

5. 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.

6. 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.

7. 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