



2026:AHC:14964

HIGH COURT OF JUDICATURE AT ALLAHABAD

PUBLIC INTEREST LITIGATION (PIL) No. - 136 of 2026

Praveen Kumar

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Kapil Kumar Soni, Vinod Kumar
Counsel for Respondent(s)	:	C.S.C., Sunil Kumar Singh

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard learned counsel for the petitioner, Mr. R.C. Srivastava, learned Additional Chief Standing Counsel for the State-respondents and Mr.Sunil Kumar Singh, learned counsel for gaon sabha.

2. The instant public interest litigation has been filed for the following relief:-

"A. Issue a writ order or direction in the nature of Mandamus commanding State respondents to remove the illegal encroachment made by the private respondents on the Gaon Sabha land exist over of Arazi No. 416 Kha area 2.7320 hectare recorded as Pasture (CHARAGAH) in revenue record situated at Village -Sikheda, Pargana and Tehsil-Dhaulana, District Hapur within time bound frame, with a view to secure the ends of justice in the interest of the Public at large of the area concerned."

3. Learned counsel for the petitioner submitted that plot No.416-kha is recorded as charagah (Class-5-3-ga category plot) in the revenue record. He submitted that in view of entry of the plot in question illegal encroachment of private respondent should be removed forthwith.

4. I have considered the arguments advanced by learned counsel for the petitioner and perused the record.

5. There is no dispute about the fact that plot in question is recorded as charagah.

6. Perusal of annexure No.1 which is khatauni of 1428-1433 fasli demonstrate that proceeding for cancellation of lease under Section 198 (4) of U.P.Z.A. & L.R.Act was initiated in respect to plot in question and writ petition No.27/05-06 is pending before this court in which interim order for maintaining the status quo has been passed.

7. Since the writ petition in respect to the plot in question in cancellation of lease matter is pending before this Court and interim order is operating as such prayer made in the instant public interest litigation cannot be entertained.

8. No interference is required in the matter.

9. The public interest litigation is dismissed accordingly.

(Chandra Kumar Rai,J.)

January 21, 2026

PS*