



2026:AHC-LKO:12235-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - C No. - 1403 of 2026

Uma Upadhyay

.....Petitioner(s)

Versus

State Of U.P. Thru. Prin. Secy. Deptt. Home Lko.
And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Rudresh Pandey, Amit Tripathi, Suneel Kumar Tiwari
Counsel for Respondent(s)	: C.S.C ., Shailendra Singh Chauhan, Yatindra Pathak

Court No. - 1

HON'BLE RAJAN ROY, J.

HON'BLE ABDHESH KUMAR CHAUDHARY, J.

1. None appears for the petitioner. This petition has been listed for the second time in the fresh list. Learned Standing Counsel and Sri Yatindra Pathak, learned counsel for the Additional Municipal Commissioner, Nagar Nigam Lucknow, who has filed a vakalatnama today on his behalf are present.

2. The present petition has been filed seeking main relief:-

"(i) to Issue a writ, order or direction in the nature of Mandamus, commanding the respondent authorities to forthwith the remove illegal encroachment and obstruction raised over the 10-feet wide access road situated in front of Plot Nos. 120 and 121, Village Saidpur Jagir, Pargana Mahona, Tehsil Bakshi Ka Talali, District Lucknow, and to restore the Petitioner's lawful and unhindered access to her plot in accordance with the registered layout and site plan."

3. As regards an encroachment on a public road, if the Nagar Nigam has authority, it can get the facts verified and do the needful as per law but so far as the other relief for restoring the petitioner's access to any plot that is not a matter to be considered in writ jurisdiction, as it may involve several questions of fact, especially in view of the instruction received by Sri Raj Bux Singh, learned Additional Chief Standing Counsel that there is some dispute with regard to the plot being claimed by the petitioner, which she

has purchased from some cooperative society and also that as per his instruction, there is no public road existing on the land.

4. Accordingly, the writ petition is, **disposed of.**

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(Abdhesh Kumar Chaudhary,J.) (Rajan Roy,J.)

February 17 , 2026
Anuj Singh