



2026:AHC:57809

HIGH COURT OF JUDICATURE AT ALLAHABAD

CIVIL MISC REVIEW APPLICATION No. - 14 of 2026

Pradeep Kumar Singh

.....Applicant(s)

Versus

Chandra Mohan Garg And 2 Others

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Archana Hans
Counsel for Opposite Party(s)	:	

Court No. - 9

HON'BLE ROHIT RANJAN AGARWAL, J.

1. Heard learned counsel for the applicant on the review application.
2. From perusal of the material on record, I find that the earlier applicant had filed a Public Interest Litigation (PIL) in which direction was issued to the applicant to approach authorities by moving necessary application under Section 67 of U.P. Revenue Code, 2006. According to applicant, another PIL was filed which was dismissed in which a review application was filed which was also dismissed. The matter travelled upto special appellate court and special appeal filed by applicant being Special Appeal Defective No. 937 of 2025 was dismissed on 06.11.2025 and following order was passed:-

"A. Order on delay condonation application.

1. *The delay of 33 days in filing the appeal is sufficiently explained.*
2. *Accordingly, the delay is condoned.*
3. *The application is allowed.*
4. *Office is directed to allot regular number to the instant appeal.*

B. Order on memo of appeal.

1. *The instant intra-court appeal is directed against the order of learned Single Judge dated 18.07.2025 by which Writ-C No. 23066 of 2025 filed by the petitioner/appellant seeking direction to respondent No. 3 i.e. Sub Divisional Magistrate, Tehsil Sakaldeeha, District Chandauli to proceed against respondents No. 4 & 5 i.e. Assistant Collector/Tehsildar, Tehsil Sakaldeeha, District Chandauli and Praveen Pandey (private respondent) has been dismissed observing that the dispute is of a private nature. Also under challenge is order dated 19.08.2025 by which the review*

application has been dismissed.

2. The appellant/petitioner had filed public interest litigation giving rise to the instant appeal wherein allegation was that private respondent No. 5 had made encroachment over Gaon Sabha land and action should be taken against him under Section 67 of the U.P. Revenue Code, 2006.

3. It is not disputed before us that on previous occasion, the appellant/petitioner had filed another public interest litigation bearing PIL No.1154 of 2024 which was disposed of by order dated 02.07.2024 granting liberty to the petitioner to move appropriate application in RC Form-19 within a period of two weeks and upon filing of such application, Assistant Collector/Tehsildar was directed to register a case and proceed against him.

4. Learned counsel for the petitioner/appellant submitted that the learned Single Judge has erred in dismissing the writ petition on the ground that it involves private dispute although, the dispute was in relation to a public land.

5. We find force in the submission but as there is already order in favour of the appellant/petitioner dated 02.07.2024 in previous PIL and in case, the said order has not been complied with by the Assistant Collector/Tehsildar as was alleged in the writ petition, it is open to the appellant/petitioner to file contempt application for violation of the said order. Therefore, we approve the ultimate outcome though for a different reason."

3. According to learned counsel for the applicant, the appellate court has opened a window to the applicant to file contempt application in case the order is not complied with.

4. Learned counsel further contends that action against one of opposite party has been taken by authorities but the application under Section 67 of the Code is pending consideration against other encroachers.

5. Learned Standing Counsel has placed before the Court the instructions so received by him. According to him, proceeding under Section 67 of the Code has concluded on 13.01.2026, copy of which has been brought on record through instructions.

5. In view of said fact, this Court finds that substantial compliance has been

done by the authorities.

6. No case for review is made out. The review application is misconceived and stands dismissed.

(Rohit Ranjan Agarwal,J.)

March 20, 2026
(V.S.SINGH)