



2026:AHC:30241

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - C No. - 2771 of 2026

Shobh Nath Shukla

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Narendra Kumar Pathak
Counsel for Respondent(s)	: Bhupendra Kumar Tripathi, C.S.C.

Court No. - 6

HON'BLE PRAKASH PADIA, J.

1. Petitioner earlier approached this Court by filing Public Interest Litigation (PIL) No.-414 of 2025, which was disposed of vide order dated 27.02.2025. Order reads as follows:-

"1.Heard learned Counsel for the petitioner, Mr. Hari Mohan Srivastava, learned Additional Chief Standing Counsel for the State-respondents and Mr. Bhupendra Kumar Tripathi, learned counsel for the the Gram Sabha.

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

"i. Issue a writ order or direction in the nature of mandamus commanding the respondent No.2 to act upon the application dated 24.10.2024 moved by the petitioner within stipulated time fixed by this Hon'ble Court."

3. Learned counsel for the petitioner submitted that in spite of the order dated 26.10.2023 passed by Tehsildar under Section 67 of U.P. Revenue Code, 2006, the same has not been given effect on spot.

4. Mr. Hari Mohan Srivastava, learned Additional Chief Standing Counsel for the State-respondents and Mr. Bhupendra Kumar Tripathi, learned counsel for the Gram Sabha submitted that public interest litigation for implementation of the order passed under section 67 of U.P. Revenue Code, 2006 cannot be entertained.

5. I have considered the arguments advanced by the learned counsel for the parties and perused the record.

6. There is no dispute about the fact that order for ejectment and damages under Section 67 of U.P. Revenue Code, 2006 has been passed by Tehsildar on 26.10.2023 in respect to the plot in question.

7. Under para No.460 of U.P. Revenue Court Manual, provision has been made for implementation/ execution of the order passed in the proceeding under Section 67 of U.P. Revenue Code, 2006.

8. Considering the entire facts and circumstances of the case, the instant public interest litigation is disposed of with observation that appropriate proceeding can be initiated for execution of the order passed under Section 67 of U.P. Revenue Code, 2006 as prescribed under para 460 of the U.P. Revenue Court Manual. "

2. Pursuant to the aforesaid, application was filed by the petitioner before the Respondent No.2 on 21.03.2025, since no action was taken, the petitioner has preferred the present writ petition.

3. On the other hand, it is argued by the learned Standing Counsel appearing on behalf of Respondent Nos.1 & 2 and Shri Bhupendra Kumar Tripathi, learned counsel appearing on behalf of Respondent No.2 that Respondent No.2, Tehsildar, Tehsil Kerakat, District Jaunpur will take a decision on the aforesaid application, expeditiously.

4. Heard counsel for the parties and perused the record.

5. In the facts and circumstances of the case and with the consent of the counsel for the parties, the present writ petition is **disposed of finally** permitting the petitioner to move a fresh representation annexing the photocopy of the judgment and order dated 27.02.2025 as well as the copy of representation dated 21.03.2025 before the Respondent No.2, Tehsildar, Tehsil Kerakat, District Jaunpur within a period of **three weeks** from today along-with certified copy of this order. In case any such representation is filed by the petitioner before the respondent no.2 within the time indicated hereinabove, he is directed to do the needful in the

matter as per procedure prescribed in law and pass appropriate order expeditiously and preferably within a period of **six weeks** from the date of filing of such representation by the petitioner before him.

(Prakash Padia,J.)

February 11, 2026

Swati