



2026:AHC:16006

HIGH COURT OF JUDICATURE AT ALLAHABAD

PUBLIC INTEREST LITIGATION (PIL) No. - 3872 of 2025

Savitri

.....Petitioner(s)

Versus

State Of U.P And 13 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Ram Jeet Yadav
Counsel for Respondent(s)	:	C.S.C., Pradeep Singh

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard learned counsel for the petitioner, Mr. Mridul Kumar, learned Standing Counsel for the State-respondents and Mr. Pradeep Singh, learned counsel for the respondent- Gaon Sabha.

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

"issue a writ, order or direction, in the nature of mandamus directing the respondent no. 2 to 5 to evict and demolish the illegal and unauthorized encroachments of respondent no. 7 to 14 forthwith from the plot no. 1045m, area 0.013 hectares from each of the respondent no. 7 to 14 which are recorded as usar land of the Gram Sabha concerned, situated in the Village Makanpur, Block Suriyawan, Pargana and Tehsil Bhadohi, District Sant Ravidas Nagar Bhadohi (U.P.) in compliance of the orders dated 07.07.2023 (Annexure No. 2, 3, 4, 5, 6, 7, 8 and 9 to this writ petition (P.I.L.) as passed by the Tehsildar Bhadohi under section 67 of the U.P. Revenue Code 2006 respectively."

3. Learned counsel for the petitioner submitted that plot in question is recorded as Usar in the revenue records and an order for ejection and damages has been passed against the private respondent nos. 7 to 14 in the proceeding under Section 67 of U.P. Revenue Code, 2006. He further submitted that in spite of the order passed by the Tahsildar, the order for eviction and damages has not been given effect on spot. He further submitted that appropriate direction be issued for removal of illegal encroachment over the plot in question in pursuance of the order dated 7.7.2023 passed by the Tahsildar, under Section 67 of U.P. Revenue

Code, 2006.

4. Instruction dated 16.1.2026 sent by Tahsildar, Bhadohi, District- Sant Ravi Das Nagar is taken on record.

5. Learned Standing Counsel on the basis of instruction dated 16.1.2026 submitted that the order for ejectment and damages have already been passed in the cases registered against respondent nos.7 to 14 on 7.7.2023 and authorities are taking steps for eviction of the unauthorized occupants.

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

7. 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.

8. 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 instant public interest litigation cannot be entertained for execution of the order passed under Section 67 of U.P. Revenue Code, 2006.

9. 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 22, 2026

Rameez