



2026:AHC:4928

HIGH COURT OF JUDICATURE AT ALLAHABAD

PUBLIC INTEREST LITIGATION (PIL) No. - 3877 of 2025

Smt. Ful Kumari

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Mayank Shekhar Singh, Shalini Singh
Counsel for Respondent(s)	:	Bhupendra Kumar Tripathi, C.S.C.

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard Ms. Shalini Singh, learned counsel for the petitioner, learned Standing Counsel for the State-respondents and Mr. **Bhupendra Kumar Tripathi**, learned counsel for the 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 directing/commanding the respondent no 2 (Tahsildar, Tahsil Machhalishahar, District Jaunpur), to execute the order dated 17.07.2025 passed in Case no. 5800/2022 Computerized Case No T202214360305800 under section 67 of U.P Revenue Code 2006 on the spot, within span of time as may be granted by this Hon'ble Court."

3. Leaned counsel for the petitioner submitted that in spite of the order dated 17.7.2025 for ejectment and damages passed by Tehsildar in the proceeding under Section 67 of U.P. Revenue Code, 2006, against the private respondent, order has not been given effect on spot. He submitted that in pursuance of the order for ejectment and damages passed by Tehsildar, encroachment should be removed from the plot in question forthwith.

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

5. 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 in respect to the plot in question.

6. Under para-460 of U.P. Revenue Court Manual, procedure has been prescribed for implementation/ execution of the order passed by Tehsildar on 17.7.2025 in the proceeding under Section 67 of U.P. Revenue Code, 2006, as such instant public interest litigation cannot be entertained for implementation/ execution of the orders passed under Section-67 of U.P. Revenue Code, 2006.

7. Considering the entire facts and circumstances of the Case, **the instant public interest litigation is dismissed** with observation that proper proceeding for implementation/ execution of the final order as prescribed under para 460 of the U.P. Revenue Court Manual can be initiated in accordance with law.

(Chandra Kumar Rai,J.)

January 8, 2026

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