



2026:AHC:27704-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

PUBLIC INTEREST LITIGATION (PIL) No. - 322 of 2026

Firoz Ahamad

.....Petitioner(s)

Versus

State of U.P and 6 others

.....Respondent(s)

Counsel for Petitioner(s)	: Abhishek Kumar Shukla
Counsel for Respondent(s)	: Meenakshi Singh (A.C.S.C.), Ajay Prakash Paul, Bakhteyar Yusuf, Rufaid Imtiaz, Arsh Ahmad Farooqui

Chief Justice's Court

HON'BLE ARUN BHANSALI, CHIEF JUSTICE
HON'BLE KSHITIJ SHAILENDRA, J.

1. This petition, purportedly in public interest has been filed by the petitioner for removal of illegal encroachment over Arazi No.379, situated at Mauja-Govindpur, Asdullapur, Tehsil-Sadar, District-Prayagraj, which is recorded as *Khalihan* (public utility land).

2. Learned counsel appearing for respondent No.5-Prayagraj Development Authority and private respondents No.6 and 7 in unison submit that filing of the present petition in the nature of PIL is misuse of the writ jurisdiction, inasmuch as the petitioner as well as respondents No.6 and 7 are in personal dispute against each other. While respondent No.6 has lodged an FIR against the petitioner, the petitioner has filed a suit before the Civil Judge, (Junior Division), Garvi, Allahabad, which is pending consideration.

3. Counsel for the petitioner submits that the said aspect pertaining to the pending FIR and filing of the suit was not disclosed by the petitioner to him.

4. In view of the fact that the petitioner has suppressed material facts and has not approached this Court with clean hands, the petition is **dismissed** with a cost of Rs.10,000/-.

5. The said amount be deposited by the petitioner with the Legal Services Committee of this Court at Allahabad. The petitioner would be permitted

to proceed with the pending suit in the trial court only on the production of receipt of Rs.10,000/- from this Court.

6. A copy of this order be forwarded to the Court of Civil Judge (Junior Division), Garvi, Allahabad to be kept in Suit No.1123 of 2025 (Firoz Ahmad and others v. Sainul Alam and others).

(Kshitij Shailendra,J.) (Arun Bhansali,CJ.)

February 9, 2026

RK/Jyotsana