



2026:AHC:19075

HIGH COURT OF JUDICATURE AT ALLAHABAD

PUBLIC INTEREST LITIGATION (PIL) No. - 3975 of 2025

Subhash

.....Petitioner(s)

Versus

State Of U.P. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s) : Indra Jeet Yadav

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

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard learned counsel for the petitioner, Sri Ajay Kumar Baranwal, learned standing counsel for the state-respondents and Sri Bhupendra Kumar Tripathi, learned counsel for the respondent-gaon sabha.

2. The instant writ petition has been filed for the following reliefs:-

"(a). Issue a writ, order or direction in the nature of mandamus, directing the respondent no. 3 that he may make an further enquiry in respect of complaint / representation dated 25.11.25 which has given to him through registered post in respect of area 0.061 of Arazi no.178M/0.161hectare.

(b) Issue a writ order or direction in the nature of mandamus, directing the respondent no. 3 that he may take proper actions against the respondent no. 6 by dispossessing from area 0.061hectare of Arazi number 178M/0.161 hect. which is recorded Banjar in revenue records as public uses lands, in any stipulated time which this Hon'ble court may deem fit and proper in the circumstances of present case."

3. In compliance of the order of this Court dated 6.1.2026, instruction dated 27.1.2026, sent by the S.D.M., Badlapur, Jaunpur is taken on record.

4. Learned Addl. C.S.C. on the basis of the instruction submitted that

the order for ejectment and damages dated 16.10.2024 has already been passed in the proceeding under Section 67 of the U.P. Revenue Code, 2006 against private respondent no.6 in respect to the part of the area of plot no.178. He submitted that appeal under Section 67(5) of the U.P. Revenue Code, 2006 is pending as Case No.382 of 2025, as such, appropriate action shall be taken by the authorities after disposal of the pending appeal under Section 67(5) of the U.P. Revenue Code, 2006.

5. Considering the facts and circumstances of the case, without expressing any opinion on the merits of the case, this petition is disposed of with the direction to respondent no.2/District Magistrate, Jaunpur to decide the pending Appeal No.382/2025, under Section 67(5) of the U.P. Revenue Code, 2006, expeditiously, after affording proper opportunity of hearing to the parties concerned, in accordance with law.

(Chandra Kumar Rai,J.)

January 28, 2026

C.Prakash