



2026:AHC:16140

HIGH COURT OF JUDICATURE AT ALLAHABAD

PUBLIC INTEREST LITIGATION (PIL) No. - 3990 of 2025

Rajesh Singh

.....Petitioner(s)

Versus

State Of U.P And 42 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Shakti Shanker Tiwari, Subhash Chandra Tiwari
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, Mr. Mridul Kumar, learned Standing Counsel for the State-respondents and Mr. **Bhupendra Kumar Tripathi**, learned counsel for Land Management Committee.

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

"i. Issue writ order or direction in the nature of mandamus commanding the Respondents to get vacated the encroached part of pond (Talab) bearing Gata No. 1253 (area 1.7210 hectare) and further may be pleased to direct the Respondents No. 1 to 5 to get clear and vacant the Gata No. 1253 (area 1.7210 hectare) recorded as pond (Talab) in Khatuani and to get vacated the encroached area of Gata No. 119 (area 3.5070 hectare) recorded as Charagah and further may be pleased to direct the Respondents No. 1 to 5 to get clear and vacant the Gata No. 119 (area 3.5070 hectare) recorded as Charagah; both plots situate at Revenue Village Samodhpur, Tehsil Shahganj District Jaunpur, in the interest of justice."

3. Leaned counsel for the petitioner submitted that in spite of the order 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 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 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 22, 2026

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