



2026:AHC:17208

HIGH COURT OF JUDICATURE AT ALLAHABAD
PUBLIC INTEREST LITIGATION (PIL) No. - 3992 of 2025

Mahendra Kumar Yadav

.....Petitioner(s)

Versus

State Of U.P. And 11 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Amar Nath Pandey
Counsel for Respondent(s)	: Bhupendra Kumar Tripathi, C.S.C.

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard Mr. Amar Nath Pandey, learned counsel for the petitioner, Mr Rajesh Kumar Tiwari, learned Additional Chief 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:-

"i-Issue a writ, order nature of or direction in the mandamus commanding the Respondents Authorities to take necessary steps against the respondent No. 5 to 12 removing their illegal possession over the Navin Parti Land of Khata No. 873 Plot No. 1187/0.073, 1190m/0.073 (encroached 0.013 Hectare) and 1192/0.135 Hectare vested as Gram Sabha land in Village Leduka, Pargana Rari, Tehsil Badlapur, District Jaunpur restored his original position on spot."

3. Learned counsel for the petitioner submitted that plot in question is recorded as Naveen parti and private respondent is in illegal possession over the same as such proper direction be issued for expeditious disposal against the private respondent.

4. Instruction dated 7.1.2025 sent by Gram Sabha filed today is taken on record.

5. The learned Additional Chief Standing Counsel for the state respondents is directed to serve the copy of the instruction to the counsel for the petitioner during course of the day.

6. Mrt. Bhupendra Kumar Tripathi, learned counsel for the Gaon Sabha on the basis of the instruction submitted that village is under consolidation operation as such public interest litigation cannot be entertained. He further placed that public interest litigation has not been filed in the public interest as such same cannot be entertained. He further placed para 2 and 3 of the instruction in order to demonstrate that prayer made in instant public interest litigation cannot be allowed.

7. I have considered argument advanced by learned counsel for the parties and perused the record.

8. There is no dispute about the fact that village in question is under consolidation operation.

9. Since village is under consolidation operation as such public interest litigation cannot be entertained.

10. No interference is required by way of public interest litigation.

11. The public interest litigation is dismissed accordingly.

(Chandra Kumar Rai,J.)

January 22, 2026
PS*