



2026:AHC:17023

HIGH COURT OF JUDICATURE AT ALLAHABAD

PUBLIC INTEREST LITIGATION (PIL) No. - 3995 of 2025

Buddhi Sagar

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Bashisth Narain Pandey
Counsel for Respondent(s)	:	C.S.C., Pankaj Kumar Gupta

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard learned counsel for the petitioner, Mr. Pankaj Kumar, learned Standing Counsel for the State-respondents and Mr. Pankaj Kumar Gupta, 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 commanding and directing the respondents authorities to take appropriate action for removal of the illegal and unauthorized encroachments made by the respondent nos. 5 from the public utility land bearing Khasra No.93 area 0.0570 hectare and Khasra No.98m area 0.0250 hectare situated at revenue Village Village-Bheeta, Tehsil-Harraiya, District-Basti and is recorded as 'Rasta' and 'Banjar', in the larger interest of the public.

b) Issue a writ, order or direction in the nature of mandamus directing the respondent authority to secure the public utility lands from any further encroachments and to restore its use for the benefit of the public.”

3. Learned counsel for the petitioner submitted that in view of the entry of the plot in question, authorities be directed to take steps for removal of illegal encroachment from the plot in question.

5. Mr. Pankaj Kumar, learned Standing Counsel on the basis of the instruction submitted that five cases have been registered under Section 67 of U.P. Revenue Code, 2006 against private respondent No.5 as well

as four other persons who have been found in possession over the plot in question. He further submitted that 4.2.2026 is next date fixed in the aforementioned proceeding. He further submitted that authorities shall take appropriate steps for removal of illegal encroachment after disposal of the pending proceeding.

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

7. There is no dispute about the fact that five cases have been registered under Section 67 of U.P. Revenue Code, 2006 against the private respondent as well as other four persons. The particular of cases are as under:-

1. Case No. T202617140101358

2. Case No. T202617140101360

3. Case No. T202617140101361

4. Case No. T202617140101364

5. Case No. T202617140101359

8. Considering the entire facts and circumstances of the cases, the instant public interest litigation is finally disposed of directing respondent No.3- Tehsildar/Assistant Collector, Tehsil-Harraiya, Basti to decide the aforementioned five pending cases under Section 67 of U.P. Revenue Code, 2006 in accordance with law after affording proper opportunity of hearing to the parties.

(Chandra Kumar Rai,J.)

January 22, 2026

PS*