



2026:AHC:16373

HIGH COURT OF JUDICATURE AT ALLAHABAD

PUBLIC INTEREST LITIGATION (PIL) No. - 4009 of 2025

Amar Singh

.....Petitioner(s)

Versus

State Of U.P. And 6 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Rajesh Singh Rathore
Counsel for Respondent(s)	:	C.S.C., Sher Bahadur Singh

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard Mr. Rajesh Singh Rathore, learned counsel for the petitioner, Mr. Shailesh Srivastava, learned standing counsel for the state-respondents and Mr. Sher Bahadur Singh, learned counsel for the respondent-gaon sabha.

2. The instant Public Interest Litigation (P.I.L.) has been filed for the following reliefs:-

"1. Issue a writ, order or direction in the nature of mandamus, directing and commanding the respondent nos. 2 & 3 to comply the order dated 22.8.2025 passed by respondent no.4, i.e., Assistant Collector-1st/Tehsildar, Pooranpur, Pilibhit, under Section 67 of the U.P. Revenue Code, 2006.

2. Issue a writ, order or direction in the nature of mandamus, directing and commanding the respondent nos. 3 & 4 to remove the encroachment and illegal possession of the respondent nos. 6 & 7 of gata no.115, area 0.0150 hect., class 6-2/non-agriculture land/chak marg of village Jaleswar @ Jagatpur, Pargana and Tehsil- Pooranpur, District Pilibhit in pursuance of the application dated 20.9.2025 accordance with law.."

3. Counsel for the petitioner submitted that in spite of the final order passed by the Tehsildar for ejectment and damages against private respondents in respect to plot no. 115 which is recorded as *chak*

marg, in the proceeding under Section 67 of the U.P. Revenue Code, 2006, the order has not been given effect on the spot. He submitted that appropriate direction be issued for removal of illegal encroachment from the plot in question.

4. Learned standing counsel and the counsel for the gaon sabha submitted that the instant public interest litigation for implementation/execution of the order passed in the proceeding under Section 67 of the U.P. Revenue Code, 2006 is not maintainable.

5. I have considered the arguments advanced by learned counsel for the parties and perused the records.

6. There is no dispute about the fact that the order for ejectment and damages has been passed by the Tehsildar in respect to the plot in question in the proceeding under Section 67 of the U.P. Revenue Code, 2006.

7. For execution of the order passed under Section 67 of the U.P. Revenue Code, 2006, remedy is provided under paragraph 460 of the U.P. Revenue Court Manual, as such, the instant P.I.L. cannot be maintained for implementation/execution of the order passed in the proceeding under Section 67 of the U.P. Revenue Code, 2006.

8. The P.I.L. is accordingly dismissed with observation that proper proceeding can be initiated according to the provision contained under Para 460 of the U.P. Revenue Court Manual in accordance with law.

(Chandra Kumar Rai,J.)

January 22, 2026

C.Prakash