



2026:AHC:16494

HIGH COURT OF JUDICATURE AT ALLAHABAD

PUBLIC INTEREST LITIGATION (PIL) No. - 4020 of 2025

Girija Shankar Singh

.....Petitioner(s)

Versus

State Of U.P And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Arun Kumar Singh, Janardan Prasad Patel
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. Anil Kumar Srivastava, learned standing counsel for the state-respondents and Mr. Bhupendra Kumar Tripathi, learned counsel for the respondent-gaon sabha.

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

"i. Issue writ order or direction in the nature of mandamus, commanding and directing the respondent authorities to remove the illegal encroachment of respondent No.6 over the Gata No.69/0.4530 hectare situated at resident of Village-Mohammadpur, Manorath Alawalpur Afga, District-Ghazipur is recorded as Pokhari in the revenue record, within stipulated period as may be fixed by this Hon'ble Court in the ends of justice."

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 the plot in question, 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 appeal under Section 67(5) of the U.P. Revenue Code, 2006 has also been dismissed by the appellate court. 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 and order of Tehsildar has been maintained in appeal.

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