



2026:AHC:18450

HIGH COURT OF JUDICATURE AT ALLAHABAD
PUBLIC INTEREST LITIGATION (PIL) No. - 878 of 2025

Antim

.....Petitioner(s)

Versus

State Of U.P. And 7 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Arvind Kumar Yadav, Pawan Kumar, Prince Kumar Srivastava, Subhash Chandra Yadav
Counsel for Respondent(s)	: Bhupendra Kumar Tripathi, C.S.C.

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard Mr. Pawan Kumar , 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:-

"A. Issue a writ order or direction in the nature of mandamus commanding/directing the respondent no.2, 3 & 4 to evacuate the Gata No. 503 area pursuance 0.178 hectare located at Village-Jarro, Pargana-Anguli, Tehsil-Shahganj, District- Jaunpur of the in order dated 22.10.2024 passed by Assistant Collector (Judicial), First Class/ Tehsildar Case No. in Shahganj District Jaunpur 4596 of 2022 Computerized Case No. T202214360104596 (Gaon Sabha Vs. Surya Nath and others) under section 67 U.P. Revenue Code 2006.

B. Issue a writ order or direction in the nature of mandamus commanding/directing the respondent no.2, 3 & 4 to enquire the matter and take the appropriate action against the encroachers i.e. respondent no. 6 to 8, who are Bhu-mafiya, expeditiously within stipulated period."

3. In compliance of the order of this Court, personal affidavit has been filed by the State stating that order for ejectment and damages has been passed by Tehsildar on 29.7.2025 under Section 67 of U.P. Revenue Code, 2006 against private respondent in pursuance of the remand order passed in appeal

under Section 67 (5) of U.P. Revenue Code, 2006.

4. Learned counsel for the petitioner submitted that in spite of the order dated 29.7.2025 for ejectment and damages passed by Tehsildar in the proceeding under Section 67 of U.P. Revenue Code, 2006 private respondent No.4 is raising construction over the plot in question, as such proper direction be issued for implementation of the order dated 29.7.2025 passed by Tehsildar in respect to plot in question and private respondents be restrained from raising construction over the plot in question.

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

6. There is no dispute about the fact that order dated 29.7.2025 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

7. Under para-460 of U.P. Revenue Court Manual, procedure has been prescribed for implementation/ execution of the final 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.

8. 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.

January 27, 2026

PS*

(Chandra Kumar Rai,J.)