



2026:AHC:4883

HIGH COURT OF JUDICATURE AT ALLAHABAD

PUBLIC INTEREST LITIGATION (PIL) No. - 901 of 2025

Dhrupchand And 9 Others

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Ravindra Prakash Srivastava
Counsel for Respondent(s)	: C.S.C., Pankaj Kumar Gupta, Sanjay Kumar Om

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Counter affidavit filed on behalf of respondent No.4 and instruction dated 16.4.2025 sent by Sub Divisional Magistrate, Ghanghata, District- Sant Kabir Nagar, are taken on record.

2. Heard learned counsel for the petitioners, Mr. Sanjay Kumar Om, learned counsel for respondent No.4, Mr. Rajesh Kumar Tiwari, learned Additional Chief Standing Counsel for the State-respondents and Mr.Pankaj Kumar Gupta, learned counsel for Land Management Committee.

3. The instant public interest litigation has been filed for the following relief:-

"i. Issue a writ, order or direction including a writ in the nature of mandamus directing respondents to remove illegal encroachment by the respondents over Arazi No.198/119 situated in Village- Mishroliya, Ghanghata, District- Sant Kabir Nagar and also take necessary action against the respondents."

4. Learned counsel for the petitioners submitted that land in dispute is recorded as Khalihaan and villagers are using the land for khalihaan purpose but respondents are illegally constructing the water tank over the plot in question, as such authorities should be restrained from constructing the water tank over the plot in question.

5. Learned counsel for respondent No.4-Jal Nigam and learned Additional Chief Standing Counsel for the State-respondents on the basis of counter affidavit and instruction submitted that for the benefit of public at large and as per consent of the villagers including village Pradhan construction of water tank was started under Jal Jeewan Mission Scheme launched by Government. They further submitted that construction of water tank is in the interest of the villagers of village in question, as such public interest litigation cannot be entertained to restrain the authority from constructing the water tank over the plot in question.

6. Considering the entire facts and circumstances of the case, no interference is required in this matter.

7. The instant public interest litigation is dismissed accordingly.

(Chandra Kumar Rai,J.)

January 8, 2026

PS*