



2026:AHC:51685-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

PUBLIC INTEREST LITIGATION (PIL) No. - 186 of 2026

Nafasat Khan

.....Petitioner(s)

Versus

State of U.P. and 5 others

.....Respondent(s)

Counsel for Petitioner(s)	:	Kaushal Kishore Mishra
Counsel for Respondent(s)	:	Rajiv Singh, S.C.

Chief Justice's Court

HON'BLE ARUN BHANSALI, CHIEF JUSTICE
HON'BLE KSHITIJ SHAILENDRA, J.

1. This petition, purportedly in public interest, has been filed by the petitioner *inter-alia* claiming that the land comprised in Gata no. 1029Ka and 1029Kha is a pond land of village Paldi, Tehsil Budhana, District Muzaffar Nagar and therefore, the respondents be directed to demolish the constructions which have come up on land comprised in Gata No. 1029Ka and Kha.
2. Instructions have been produced *inter-alia* indicating that incorrect assertions have been made in the petition as land comprised in Gata no. 1029Ka is recorded as Pond and Gata no. 1029Kha is presently recorded as 'abadi' and on Gata no. 1029Kha old 'abadi' is existing.
3. Further indications have been made that the respondent nos. 5 and 6 had made certain constructions over land of Gata no. 1029Ka, which were demolished, and present construction is being undertaken at land comprised in Gata no. 1029Kha owned by the said respondents and therefore, the plea sought to be raised has no substance.
4. Counsel for the petitioner attempted to make submissions that the land, which was originally recorded as that of pond, was wrongly bifurcated into Gata no. 1029Ka and 1029Kha in the second consolidation proceedings in the year 1971 and therefore, the action of the respondents is not justified.
5. We have considered the submissions made and perused the material

available on record.

6. Once admittedly the land comprised in Gata no. 1029Kha is recorded as 'abadi', the plea sought to be raised by the petitioner cannot be countenanced.

7. Submissions made regarding the incorrect classification of the land way back in the year 1971 at the instance of the petitioner after passage of over 55 years cannot be countenanced.

8. The petition is, therefore, **dismissed**.

(Kshitij Shailendra, J) (Arun Bhansali, CJ)

March 13, 2026

nd/vs