



2026:AHC:66

HIGH COURT OF JUDICATURE AT ALLAHABAD

PUBLIC INTEREST LITIGATION (PIL) No. - 3765 of 2025

Sanju Devi

.....Petitioner(s)

Versus

State Of U.P. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Ashvanee Kumar Srivastav, Deepak Srivastava, Sandeep Kumar Singh
Counsel for Respondent(s)	: C.S.C., Rameshwar Prasad Shukla

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

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

"Issue an order or direction in the nature of mandamus, directing the respondent nos. 2 and 3 to evict the respondent no.6 from the public utility land (khad gadha), gata no. 201, measuring 0.0010 hect. out of 0.056 hect., situated at village Shahkundanpur, Tehsil Sadar, District Azamgarh in the interest of justice."

2. Instruction dated 5.1.2026, sent by the Tehsildar Sadar, Azamgarh is taken on record.

3. Mr. Ashutosh Kumar Rai, learned Addl.C.S.C., on the basis of the instruction dated 5.1.2026 submitted that an order for ejectment and damages was passed by the Tehsildar in respect to plot in question against respondent no.6 as well as Mahendra on 12.2.2025/7.3.2025. He further submitted that restoration applications have been filed by respondent no.6 as well as Mahendra against the order for ejectment and damages which are pending. He also submitted that 8th January, 2026 is the date fixed for disposal of the aforementioned restoration applications, as such, no action can be taken by the authorities unless the pending restoration applications are disposed of in accordance with law. He also 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.

4. 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.

5. It is also material to mention that restoration applications are pending against the order of ejectment and damages passed by Tehsildar.

6. The prayer made in the instant P.I.L. cannot be allowed.

7. No interference is required in the matter.

8. The public interest litigation is dismissed accordingly.

(Chandra Kumar Rai,J.)

January 5, 2026
C.Prakash