



2026:AHC:1881

HIGH COURT OF JUDICATURE AT ALLAHABAD

PUBLIC INTEREST LITIGATION (PIL) No. - 3770 of 2025

Ravindra Maurya

.....Petitioner(s)

Versus

State Of U.P. And 4 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Kamlesh Kumar Tiwari
Counsel for Respondent(s)	:	C.S.C., Rameshwar Prasad Shukla

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard Mr. Anas Ahmad, holding the brief of Mr. Kamlesh Kumar Tiwari, learned counsel for the petitioner, Mr. Ashutosh Kumar Rai, learned Addl. C.S.C. for the state-respondents and Mr. Rameshwar Prasad Shukla, learned counsel for the respondent-gaon sabha.

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

"Issue an order or direction in the nature of mandamus, directing the respondent nos. 2 and 3 to evict the respondent no.5 from the public utility land (navin parti), arazi no.286, measuring 0.015 hect., situated at village Farsara Khurd, Tehsil Ghoshi, District Mau in the interest of justice."

3. Counsel for the petitioner submitted that in spite of the final order passed by the Tehsildar for ejectment and damages against respondent no.5 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 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.

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 6, 2026
C.Prakash