



2026:AHC:21188

HIGH COURT OF JUDICATURE AT ALLAHABAD

PUBLIC INTEREST LITIGATION (PIL) No. - 2200 of 2025

Algoo

.....Petitioner(s)

Versus

State Of U.P. And 10 Other

.....Respondent(s)

Counsel for Petitioner(s)	:	Dheerendra Kumar, Karma Singh Yadav, Sarita
Counsel for Respondent(s)	:	Bhupendra Kumar Tripathi, C.S.C.

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard Mrs. Jyoti Singh, learned counsel holding brief of Mr. Karma Singh Yadav, learned counsel for the petitioner, Mr. Pankaj Kumar, learned Standing Counsel for the State-respondents and Mr. Bhupendra Kumar Tripathi, learned counsel for the respondent-Gram Sabha.

2. The instant petition has been filed for the following reliefs:

"I. Issue a writ, order or direction in the nature of MANDAMUS commanding the respondents especially the respondent no.2 to conclude the Appeal No. 853 of 2024 (Ramnath Pal Vs. State), Appeal No. - 854 Of 2024(Brijlal VS. State Appeal No. 862 of 2024 (Lallan Vs. State, Appeal No. 864 of 2024 Abbas Vs. state before collector, Jaunpur, regarding encroachment over plot No. 445 area 0.105 Hectare recorded as banjar and Plot No. 446 area 0.183 hectare recorded as Rasta in the record of right in the Village Kisundaspur, Pargana Ghisua, Tehsil Machhlishahar, Districtg- Jaunpur within the stipulated time to be fixed by this Hon'ble Court.

ii. Issue a writ, order or direction in the nature of MANDAMUS commanding the respondents to take appropriate action for removal of encroachment regarding eviction order dated 31.10.2023 against respondent no. 6 to 11 and others within the stipulated period to be fixed by this Hon' ble court."

3. This Court directed the learned Standing Counsel to file personal affidavit in the matter.

4. In compliance of the order of this Court, personal affidavit dated 17.9.2025 has been filed stating that all the appeals filed under Section 67 (5) of U.P. Revenue Code, 2006 have been dismissed by the Collector,

Jaunpur vide order dated 12.9.2025. He placed the order passed by the Collector, under Section 67 (5) of U.P. Revenue Code, 2006 which are annexed as Annexure No.PA-1, PA-2, PA-3 & PA-4 to the personal affidavit.

5. Learned counsel for the petitioner submitted that in view of the order for ejectment and damages passed by Tahsildar as maintained in appeal by Collector, direction be issued for immediate implementation / execution of the order passed under Section 67 of U.P. Revenue Code, 2006.

6. I have considered the argument advanced by learned counsel for the petitioner and perused the records.

7. There is no dispute about the fact that the order for eviction and damages were passed under Section 67 of U.P. Revenue Code, 2006 in respect to the plot in question, which have been maintained in appeal.

8. Under Para 460 of U.P. Revenue Court Manual, the provision has been prescribed for execution of the order passed under Section 67 of U.P. Revenue Code, 2006, as such, the instant public interest litigation cannot be entertained for execution of the order passed under Section 67 of U.P. Revenue Code, 2006.

9. The instant public interest litigation is ***dismissed*** with observation that the appropriate proceeding can be initiated in accordance with law as prescribed under Para 460 of U.P. Revenue Court Manual.

(Chandra Kumar Rai,J.)

January 30, 2026
Rameez