



2026:AHC:21775

HIGH COURT OF JUDICATURE AT ALLAHABAD

PUBLIC INTEREST LITIGATION (PIL) No. - 3109 of 2025

Radheyshyam Pandey

.....Petitioner(s)

Versus

State Of U.P. And 18 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Ajay Kumar Mishra
Counsel for Respondent(s)	:	C.S.C., Sudhir Bharti

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard learned counsel for the petitioner, Mr. Om Anand, learned Standing Counsel for the State-respondents and Mr. Sudhir Bharti, learned counsel for the Land Management Committee.

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

"[I]. Issue a writ, order or direction in the nature of MANDAMUS direct the respondent no.1 to 5 to remove the illegal encroachment and demolish the constructions made by private respondent nos. 6 to 19 over the Araji No. 199 area about 0.291 hectare of revenue village Dhuriya Imaliya, Tehsil Tamkuhiraj, District Kushinagar which is recorded as way in the revenue record."

3. In compliance of the order of this Court dated 14.10.2026, instruction dated 3.11.2025 sent by Tehsildar, Tamkuhi Raj, Kushinagar is taken on record.

4. Mr. Om Anand, learned Standing Counsel for the State-respondents shall serve the copy of the instruction to learned counsel for the petitioner.

5. Learned Standing Counsel for the State-respondents on the basis of the instruction dated 3.11.2025 submitted that plot No.199 is recorded as rasta in the revenue record. He further submitted that rasta is very much in existence over part of the area of the plot in question and in respect to the part of the area, certain encroachment have been found accordingly 22

cases have been registered against the persons, who has been found in possession over the plot No.199. The particular of Cases mentioned in the instruction are as under:

1. Case No.T202505440324817
2. Case No.T202505440324818
3. Case No.T202505440324819
4. Case No.T202505440324820
5. Case No.T202505440324821
6. Case No.T202505440324822
7. Case No.T202505440324823
8. Case No.T202505440324824
9. Case No.T202505440324825
10. Case No.T202505440324827
11. Case No.T202505440324828
12. Case No.T202505440324829
13. Case No.T202505440324830
14. Case No.T202505440324831
15. Case No.T202505440324833
16. Case No.T202505440324836
17. Case No.T202505440324840
18. Case No.T202505440324844
19. Case No.T202505440324866
20. Case No.T202505440324873

21.Case No.T202505440324875

22.Case No.T202505440324877

6. Considering the pendency of the cases under Section 67 of U.P. Revenue Code, 2006 in respect to the plot No.199, the instant public interest litigation is finally disposed of directing respondent No.4-Tehsildar, Tamkuhi Raj, Kushinagar to decide the aforementioned pending cases under Section 67 of U.P. Revenue Code, 2006 expeditiously after affording proper opportunity of hearing to the parties.

(Chandra Kumar Rai,J.)

January 30, 2026

PS*