



2026:AHC:20464

HIGH COURT OF JUDICATURE AT ALLAHABAD

PUBLIC INTEREST LITIGATION (PIL) No. - 3232 of 2025

Bharat Lal Bhati

.....Petitioner(s)

Versus

State Of U.P. And 9 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Prem Prakash Yadav, Sukhvir Singh
Counsel for Respondent(s)	: C.S.C., Sunil Kumar Singh

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard learned counsel for the petitioner, Mr. Sharad Chandra Singh, learned Addl. C.S.C. for the state-respondents and Mr. Sunil Kumar Singh, learned counsel for the respondent-gaon sabha.

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

"i. a writ, order or direction in a suitable nature, directing the respondent revenue authorities to forthwith and in a time bound manner remove illegal encroachment from Chakmarg, Gata no. 132 situated in village Jamalpur, Tehsil-Sadar, District- Gautambuddha Nagar, in compliance with the order of the assistant collector District Meerut (Judicial).

II. Direct the respondents to take immediate and necessary action against the respondent no.7 to 10 responsible for the illegal encroachment over Gata No.132 and ensure the removal of unauthorized occupation."

3. Counsel for the petitioner submitted that in spite of the order passed by the Tehsildar for ejectment and damages against private respondent in respect to the plot in question, in the proceeding under Section 122-B of the U.P. Z.A. & L.R. Act, now, Section 67 of the U.P. Revenue Code, 2006, the order has not been given effect on the spot. He submitted that appellate authority has also rejected the appeal filed against the order passed in the proceeding under Section

122-B of the U.P. Z.A. & L.R. Act. 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 122-B of the U.P. Z.A. & L.R. Act and order of Tehsildar has been maintained in appeal.

7. For execution of the order passed under Section 122-B of the U.P. Z.A. & L.R. Act, 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 122-B of the U.P. Z.A. & L.R. Act.

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 29, 2026

C.Prakash