



2026:AHC:746

HIGH COURT OF JUDICATURE AT ALLAHABAD
PUBLIC INTEREST LITIGATION (PIL) No. - 3236 of 2025

Rakesh Kumar Kesharwani

.....Petitioner(s)

Versus

State of U.P. and 6 others

.....Respondent(s)

Counsel for Petitioner(s)	: Ravindra Kumar
Counsel for Respondent(s)	: Azad Rai, C.S.C.

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard Mr. Ravindra Kumar, learned counsel for the petitioner, Mr. Tarun Gaur, learned Standing Counsel for the State-respondents and Mr. Azad Rai, learned counsel for gram sabha.

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

a. Issue a writ, order or direction commanding the respondent no. 2 to direct the respondent no 5 and 6 or any other competent authority to ensure the eviction of illegal encroachment on Talab in the Arazi no.146 area 1.6350 Heq in village shamshabad Kaushambi which is public utility land in which illegal encroachment and construction raised by encroachers shall be removed within short / stipulated period and reopen the Nali which has been illegally covered

by encroachers, and pass any suitable order otherwise otherwise petitioner shall suffer irreparable loss.

b. Issue a writ of mandamus directing the respondent no2 to decide the representation of petitioner dated 27/09/25 which is pending before him.with in stipulated period."

3. On 30.10.2025, following order has been passed by this Court:-

"1. In view of the prayer made in the instant public interest litigation, instruction is required from State & Gaon Sabha.

2. Mr. Muneshwar Singh, learned Standing Counsel for the State and Mr. Azad Rai, learned counsel for the gaon sabha shall obtain instruction in the matter within two weeks.

3. Put up this case as fresh on 17.11.2025."

4. In compliance of the order dated 30.10.2025 instruction dated 25.10.2025 sent by Sub Divisional Officer, Sirathu, Kaushambi is taken on record.

5. Mr. Tarun Gaur, learned Standing Counsel for the State-respondents on the basis of the instruction submitted that 12 cases under Section 67 of U.P. Revenue Code, 2006 have been registered against the persons, who have been found in possession over the same and last date fixed in the aforementioned proceeding under Section 67 of U.P. Revenue Code, 2006 was 4.11.2025. He further submitted that after disposal of the aforementioned cases, proper steps shall be taken by the authorities.

6. In reply, learned counsel for the petitioner submitted that appropriate direction be issued for expeditious disposal of pending proceeding under Section 67 of U.P. Revenue Code, 2006 within time bound period.

7. I have considered the arguments advanced by the learned counsel for the parties and perused the record.

8. In order to appreciate the controversy involved in the matter, particulars of the cases which have been registered under Section 67 of U.P. Revenue Code, 2006 against the persons will be relevant for perusal, which are as under:-

ग्राम-डडैचा परगना कडा तहसील सिराथू जनपद कौशाम्बी स्थित आराजी सं० 146/1.635हे० तालाब भूमि पर किये गये अतिक्रमणकर्ताओं का विवरण।

क्र०सं	आ०सं०	क्षे०	अतिक्रमणकर्ता का नाम व पिता का नाम	बेदखली वाद सं०	नियत तिथि	विवरण
1	2	3	4	5	6	7
1	146मि०	0.0015हे०	गांव सभा बनाम संदीप कुमार पुत्र सरजू प्रसाद निवासी समसाबाद	टी०-202502420409672	04.11.2025	
2	146मि०	0.0080हे०	गांव सभा बनाम नकुल पुत्र नवल किशोर निवासी समसाबाद	टी०-202502420409673	04.11.2025	
3	146मि०	0.0050हे०	गांव सभा बनाम दिलीप कुमार पुत्र बैजनाथ निवासी समसाबाद	टी०-202502420409674	04.11.2025	
4	146मि०	0.0070हे०	गांव सभा बनाम सखाराम पुत्र मथुरा प्रसाद निवासी समसाबाद	टी०-202502420409675	04.11.2025	
5	146मि०	0.0070हे०	गांव सभा बनाम राजेश कुमार पुत्र मथुरा प्रसाद निवासी समसाबाद	टी०-202502420409676	04.11.2025	
6	146मि०	0.0080हे०	गांव सभा बनाम दिनेश पुत्र नवल किशोर निवासी समसाबाद	टी०-202502420409677	04.11.2025	
7	146मि०	0.0140हे०	गांव सभा बनाम गनेश प्रसाद पुत्र नवल किशोर निवासी समसाबाद	टी०-202502420409678	04.11.2025	
8	146मि०	0.0045हे०	गांव सभा बनाम मनोज कुमार पुत्र बिन्देश्वरी निवासी समसाबाद	टी०-202502420409679	04.11.2025	
9	146मि०	0.0080हे०	गांव सभा बनाम रजनीश सोनकर पुत्र बच्चा लाल निवासी समसाबाद	टी०-202502420409680	04.11.2025	
10	146मि०	0.0125हे०	गांव सभा बनाम प्रमोद कुमार पुत्र महन्त प्रसाद निवासी समसाबाद	टी०-202502420409681	04.11.2025	
11	146मि०	0.0020हे०	गांव सभा बनाम रामेश्वर प्रसाद पुत्र शिवप्रसाद निवासी समसाबाद	टी०-202502420409682	04.11.2025	
12	146मि०	0.0015हे०	गांव सभा बनाम संजय कुमार पुत्र शिवप्रसाद निवासी समसाबाद	टी०-202502420409683	04.11.2025	

9. Considering the facts and circumstances of the case that 12 cases have been registered under section 67 of U.P. Revenue Code, 2006 in respect to the plot No.146, instant public interest litigation is finally disposed of directing respondent No.6- Tehsildar, Sirathu, Kaushambi, to decide the aforementioned 12 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 05, 2026

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