



2026:AHC:17762

HIGH COURT OF JUDICATURE AT ALLAHABAD
PUBLIC INTEREST LITIGATION (PIL) No. - 2935 of 2025

Rajvir Singh Yadav

.....Petitioner(s)

Versus

State Of U.P. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Shiv Kumar, Vivek Singh
Counsel for Respondent(s)	:	C.S.C., Hari Narayan Singh

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. Hari Narayan Singh, learned counsel for gaon sabha.

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

"(i) issue a writ, order or direction in the nature of commanding the Respondent authorities to remove the illegal encroachment as directed by the order dated 27.5.2025 passed by Assistant Collector, Ist Class, Tehsildar, Auraiya (Annexure No.1 to the writ petition).

(ii) issue a writ, order or direction in the nature of MANDAMUS commanding the Respondent authorities to remove the illegal encroachment and restore Khadh key Gaddhey (reserve land) situated in plot No. 448, 448Mi situated in village Baisundhra, Tehsil Auraiya District Auraiya."

3. On 5.1.2026, following order was passed by this Court:-

"1. Learned counsel for petitioner submitted that after filing of the instant petition the order of ejectment and damages passed by Tehsildar has been set aside by Collector in appeal under Section 67 (5) of the U.P. Revenue Code, 2006.

2. Learned counsel for the petitioner is directed to file a supplementary affidavit annexing the order passed by the Collector in appeal under Section 67(5) of the U.P. Revenue

Code, 2006.

3. Put up this matter as fresh on 27.01.2026"

4. In compliance of the order of this Court dated 5.1.2026, no supplementary affidavit has been filed.

5. Since the order for eviction and damage under Section 67 of U.P. Revenue code, 2006 passed by Tehsildar has been set aside in appeal, as such prayer made in the instant public interest litigation cannot be entertained.

6.No interference is required by way of instant public interest litigation.

7. The instant public interest litigation is dismissed accordingly.

January 27, 2026

PS*

(Chandra Kumar Rai,J.)