



2026:AHC:14442

**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**PUBLIC INTEREST LITIGATION (PIL) No. - 2989 of 2025**

Rajesh Kumar

.....Petitioner(s)

Versus

State Of U.P. And 6 Others

.....Respondent(s)

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Counsel for Petitioner(s) : Saurabh Yadav, Suraj Raj  
Counsel for Respondent(s) : Azad Rai, C.S.C., Mohitosh Singh

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**Court No. - 55**

**HON'BLE CHANDRA KUMAR RAI, J.**

1.Learned counsel for the petitioner is permitted to implead Tehsildar as respondent No.8 in the array of the array of the parties to the writ petition during course of the day.

2. Heard learned counsel for the petitioner, Mr. Om Anand, learned Standing Counsel for the State-respondents and Mr. Azad Rai, learned counsel for Gram Sabha.

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

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**"(i) Issue a writ, order or direction in the nature of mandamus directing the respondent authorities to vacate the encroachment in Gram Sabha Land, Arazi No. 428, Arca 0.069 Hect. (mentioned in Revenue Record as Banjar), which is situated in Gram Sabha - Village Padraiya Pargana Mirzapur Chauhari, Tehsil-Soraon, District Prayagraj which is encroached by the Respondent No. 6 & 7 by way of raising illegal construction.**

**(ii) Issue a writ, order or direction in the nature of mandamus directing the respondents to take necessary action against the Respondent No. 6 & 7**

**and decide the representation dated 04.09.2025 pending fore the respondents authorities."**

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4. This Court directed the learned counsel to obtain instruction in the matter vide order dated 24.9.2025.

5. In compliance of the order of this Court dated 24.9.2025, instruction dated 10.11.2025 sent by Sub Divisional Officer, Soraon, Prayagraj is taken on record.

6. Mr. Om Anand, learned Standing Counsel for the State-respondents on the basis of the instruction submitted that plot No.428 area 0.069 hectare is recorded as Banjar in the revenue record and two cases under Section 67 of U.P. Revenue Code, 2006 has been registered against respondent Nos.6 and 7, which is pending. The particulars of two cases are as under:-

**1. Case No.T202502030320308**

**2. Case No.T202502030320307**

7. He further submitted that after disposal of aforementioned proceeding, proper action shall be taken by the authorities in accordance with law.

8. Learned counsel for the petitioner submitted that proper direction may be given for expeditious disposal of the aforementioned proceeding within time bound period.

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

10. There is no dispute about the fact that proceeding under Section 67 of U.P. Revenue Code, 2006 has been registered against respondent Nos.6 and 7 and the same are pending before respondent No.8-Tehsildar, Soraon, Prayagraj.

11. Considering the facts and circumstances of the case, the instant petition is finally disposed of directing respondent No.8- Tehsildar, Soraon, Pryagraj to decide the aforementioned pending case expeditiously in accordance with law after affording opportunity of hearing to the parties.

**January 20, 2026**

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**(Chandra Kumar Rai,J.)**