



2026:AHC:13788

HIGH COURT OF JUDICATURE AT ALLAHABAD

PUBLIC INTEREST LITIGATION (PIL) No. - 2849 of 2025

Nitish Kumar

.....Petitioner(s)

Versus

State Of Up And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Gaurav Tiwari, Rahul Kumar Mishra
Counsel for Respondent(s)	: Avinash Chandra Srivastava, C.S.C.

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard learned counsel for the petitioner, Mr. Shailesh Srivastava, learned Standing Counsel for the State-respondents, Mr. Avinash Chandra Srivastava, learned counsel for the respondent- Gram Sabha and Mr. Vijay Singh Senger, learned counsel for respondent no.5.

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

"i. issue a writ, order or direction in the nature of mandamus commanding the respondents authorities to restrain the respondent no.5 from raising construction over the plot of land bearing gata no.50 situated in the village- Karanpura, Tahsil- Bah, District- Agra and get it released from the illegal encroachment of the respondent no.5 which is a public utility land.

ii. issue a writ, order or direction in the nature of mandamus commanding and directing the respondent authorities to consider and decide the claim of the petitioner dated 13.8.2025 with regard to the removal of the illegal encroachment by the respondent no.5 within a short stipulated time period."

3. This Court vide order dated 26.9.2025 directed the learned Standing Counsel to obtain instruction in the matter.

4. In compliance of the order of this Court dated 26.9.2025, instruction dated 23.9.2025 sent by Sub-Divisional Officer is taken on record.

5. Learned Standing Counsel for the State shall serve the copy of the instruction dated 23.9.2025 upon learned counsel for the petitioner during course of the day.

6. Learned Standing Counsel for the State on the basis of instruction dated 23.9.2025 submitted that the proceeding under Section 67 of U.P. Revenue Code, 2006 has already been registered as Case No.T202401010605453 and the same shall be decided expeditiously in accordance with law.

7. Learned counsel for the petitioner submitted that the appropriate direction be issued for expeditious disposal of the aforementioned case pending under Section 67 of U.P. Revenue Code, 2006 before respondent no.4 / Tahsildar, Tahsil- Bah, District- Agra against respondent no.5 within time bound period.

8. Considering the facts and circumstances of the case, the instant public interest litigation is finally disposed of directing the respondent no.4 / Tahsildar, Tahsil- Bah, District- Agra to decide the aforementioned Case No.T202401010605453 after affording proper opportunity of hearing to the parties, expeditiously.

(Chandra Kumar Rai,J.)

January 20, 2026

Rameez