



2026:AHC:15185

HIGH COURT OF JUDICATURE AT ALLAHABAD

PUBLIC INTEREST LITIGATION (PIL) No. - 2470 of 2025

Bijendra Kumar Patel

.....Petitioner(s)

Versus

State Of Uttar Pradesh And 7 Others

.....Respondent(s)

Counsel for Petitioner(s)	: Dinesh Kumar Patel
Counsel for Respondent(s)	: Anand Kumar Upadhyay, Bhupendra Kumar Tripathi, C.S.C., Husnaara Khatoon, Mukesh Kumar Patel

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard learned counsel for the petitioner, Sri Anil Kumar Tripathi, learned counsel, holding the brief of Sri Anand Kumar Upadhyay, learned counsel for the private respondents, Sri M.N. Mishra, learned Addl. C.S.C. for the state-respondents and Sri Bhupendra Kumar Tripathi, learned counsel for the respondent-gaon sabha.

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

"A. Issue a writ order or direction in the nature of mandamus, commanding and directing the respondent authorities to remove the illegal encroachment of house constructed by private respondents Rajpati and Rajendra Kumar over Arazi No. 819(M), area 0.049 hectare, Village Jaypalpur, Tehsil Machhalishahar, District Jaunpur and further direct the respondent authorities to restore the said land for public utility purposes and ensure its protection from further encroachment.

B. Issue a writ order or direction in the nature of mandamus, commanding and directing the Respondent Nos.2 and 3 to take decision upon the application dated 24/07/2025 moved by the petitioner regarding removal of illegal encroachment over the Public Utility Land made by the Respondent Nos.5 to 8, within a stipulated period as fixed by this Hon'ble Court."

3. This Court entertained the matter on 28.8.2025 and directed the respondents to file counter affidavit in the matter.

4. In compliance of the order of this Court, counter affidavit as well as personal affidavit have been filed, stating that proceedings under Section 67 of the U.P. Revenue Code, 2006 have been registered against the persons who have been found in illegal possession of the plot in question as Case Nos.T202014360305752, T202014360305751 and T202014360316507 and the same are pending before the Tehsildar.

5. Counsel for the petitioner submitted that appropriate direction be issued for the expeditious disposal of the pending proceedings under Section 67 of the U.P. Revenue Code, 2006 within the time bound period.

6. Considering the facts and circumstances of the case, without expressing any opinion on the merits of the case, the public interest litigation petition is disposed of with the direction to respondent no.3/Tehsildar, Tehsil Machhhalishahar, Jaunpur to decide the aforesaid proceedings under Section 67 of the U.P. Revenue Code, 2006, expeditiously, after affording proper opportunity of hearing to the parties concerned, in accordance with law.

(Chandra Kumar Rai,J.)

January 21, 2026

C.Prakash