



2026:AHC:19410

HIGH COURT OF JUDICATURE AT ALLAHABAD

PUBLIC INTEREST LITIGATION (PIL) No. - 2512 of 2025

Praveen Kumar

.....Petitioner(s)

Versus

State Of U.P. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s) : Ram Mohan

Counsel for Respondent(s) : C.S.C., Krishna Kant Singh, Ravesh Kumar Singh

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard Sri Ram Mohan, learned counsel for the petitioner, Sri Rajesh Kumar Tiwari, learned Addl. C.S.C. for the state-respondents, Sri Ravesh Kumar Singh, learned counsel for respondent no.6 and Sri Krishna Kant Singh, learned counsel for respondent-gaon sabha.

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

"I. issue a writ, order or direction in the nature of Mandamus directing the respondent authority to remove the encroachment of private respondent over the land of Gata No.81/0.0480 hectare and Gata No.97/0.121 hectare situated at Village Kunjalpur, Pargana & Tehsil Jalesar, District Etah, which are recorded as Khad ka Gaddha and Naveen Parti in the revenue records."

3. Counsel for the petitioner states that in view of the entry of the plot in question, authorities be directed to take steps for removal of encroachment from the plot in question.

4. On the other hand, learned Addl. C.S.C. for the state-respondents, on the basis of the averments made in the counter affidavit dated 12.9.2025, filed on behalf of the State, submitted that three cases 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.T202518210305892, T202518210305893,& T202518210305894. He submitted that after disposal of the pending proceeding under Section 67 of the U.P. Revenue Code, 2006, appropriate action shall be taken by the authorities.

5. Learned counsel for respondent no.6 submitted that the instant public interest litigation has not been filed in public interest, as such, the same is liable to be dismissed. He further submitted that on account of filing of the instant petition, possession of the chak, has not been delivered to respondent no.6 till date in spite of conclusion of the consolidation operation in the village in question.

6. I have considered the arguments advanced by learned counsel for the parties and perused the records.

7. There is no dispute about the fact that three cases have been registered under Section 67 of the U.P. Revenue Code, 2006 against the persons who have been found in illegal possession of the plot in question, which are pending before the authority concerned.

8. Considering the facts and circumstances of the case, without expressing any opinion on the merits of the case, this public interest litigation is disposed of with the direction to respondent no.4/Tehsildar, Baghpat, Jalesar, District Etah to decide the aforesaid proceedings under Section 67of the U.P. Revenue Code, 2006 (particular of cases are mentioned in paragraph no.4 of this order) to its logical conclusion, expeditiously, after affording proper opportunity of hearing to the parties concerned, in accordance with law.

January 28, 2026

C.Prakash

(Chandra Kumar Rai,J.)