



2026:AHC:20177

HIGH COURT OF JUDICATURE AT ALLAHABAD

PUBLIC INTEREST LITIGATION (PIL) No. - 3648 of 2025

Hemant Kumar

.....Petitioner(s)

Versus

State Of U.P. And 9 Others

.....Respondent(s)

Counsel for Petitioner(s) : Sangam Singh

Counsel for Respondent(s) : C.S.C., Hari Narayan Singh, Rajeev Kumar Saxena

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard Sri Sangam Singh, learned counsel for the petitioner, Sri Rajesh Kumar Tiwari, learned Addl. C.S.C. for the state-respondents, Sri Birendra Kumar Yadav, learned counsel, holding the brief of Sri Rajeev Kumar Saxena, learned counsel for respondent nos. 7 to 10 and Sri Hari Narayan Singh, learned counsel for the respondent-gaon sabha.

2. The instant writ petition has been filed, seeking a writ of mandamus, commanding respondent authorities to remove the encroachment from the plot no.364 which is recorded as chakroad in the revenue records and plot no.316 which is recorded as drainage (nala).

3. Counsel for the petitioner states that in view of the entry of the plot in question, necessary direction be issued for removal of encroachment from the plot in question.

4. In compliance of the earlier order of this Court, instruction dated 21.1.2026, sent by the S.D.M., Bidhuna, Auraiya is taken on record.

5. Learned Addl. C.S.C. on the basis of the instruction submitted that case under Section 67 of the U.P. Revenue Code, 2006 has been registered against the private respondent nos. 7 to 10 in respect to plot in question, as such, appropriate steps shall be taken after disposal of the aforementioned proceeding. He further submitted that

plot no.364 is recorded as chak road and plot no.316 is recorded as rasta.

6. Considering the facts and circumstances of the case, without expressing any opinion on the merits of the case, this petition is disposed of with the direction to respondent no.4/Tehsildar, Bidhuna, Auraiya to decide the Case No.T202603050201800 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 29, 2026

C.Prakash