



2026:AHC:19391

HIGH COURT OF JUDICATURE AT ALLAHABAD

PUBLIC INTEREST LITIGATION (PIL) No. - 3827 of 2025

Janardan Prasad

.....Petitioner(s)

Versus

State Of U.P. And 6 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Gulab Shankar Singh
Counsel for Respondent(s)	:	C.S.C., Pankaj Kumar Gupta

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard learned counsel for the petitioner, Sri B.N. Pathak, learned standing counsel for the state-respondents and Sri Pankaj Kumar Gupta, learned counsel for the respondent-gaon sabha.

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

"Issue a writ, order or direction in the nature of mandamus, directing the respondent no.2 to take appropriate action against the illegal encroachment/construction made by the private respondent nos. 6 & 7 upon the plot in question which is recorded in the revenue record as khalian/harvesting land and also direct the respondent no.2 to initiate departmental enquiry who are involved directly or indirectly in this matter."

3. This Court directed the learned counsel for the state and gaon sabha to obtain instruction in the matter.

4. In compliance of the order of this Court dated 5.12.2025, instruction dated 15.12.2025, sent by the Tehsildar, Sadar, Basti is taken on record.

5. Learned standing counsel on the basis of the instruction submitted that against the order of ejectment and damages passed by the Tehsildar, appeal under Section 67(5) of the U.P. Revenue Code, 2006 is pending before the District Magistrate as Appeal No.2276 of 2025. He submitted that after disposal of the pending appeal, appropriate action shall be taken by the authorities.

6. Counsel for the petitioner states that appropriate direction be issued for the expeditious disposal of the pending appeal under Section 67(5) of the U.P. Revenue Code, 2006.

7. 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.2/District Magistrate, Basti to decide the aforesaid Appeal No.2276/2025, expeditiously, after affording proper opportunity of hearing to the parties concerned, in accordance with law.

January 28, 2026
C.Prakash

(Chandra Kumar Rai,J.)