



**HIGH COURT OF JUDICATURE AT ALLAHABAD**

**PUBLIC INTEREST LITIGATION (PIL) No. - 32 of 2026**

Ashok Kumar

.....Petitioner(s)

Versus

State Of Up And 4 Others

.....Respondent(s)

---

Counsel for Petitioner(s) : Anil Kumar Srivastava, Kartikey  
Srivastava, Ratnesh Pratap Singh  
Counsel for Respondent(s) : C.S.C., Rameshwar Prasad Shukla

---

**Court No. - 55**

**HON'BLE CHANDRA KUMAR RAI, J.**

1. Heard learned counsel for the petitioner, Mr. Awadhesh Kumar Patel, learned Standing Counsel for the State-respondents and Mr. Rameshwar Prasad Shukla, learned counsel for the respondent- Gaon Sabha.
2. Learned counsel for the petitioner submitted that in view of the entry of the plot in question authorities be directed to take steps for removal of illegal encroachment from the plot in question.
3. Instruction dated 13.2.2026 sent by the Sub-Divisional Officer, Mehnagar, Azamgarh is taken on record.
4. Learned Standing Counsel for the State shall serve the copy of the instruction upon learned counsel for the petitioner during course of the day.
5. Learned Standing Counsel for the State on the basis of instruction submitted that the plot no.672 is free from encroachment. He further submitted that the plot nos.558, 308, 84 & 606 are Minzumla plot. He further submitted that for the physical partition of plot no.606 area 0.1090 hectare, which is recorded as Usar, proceeding is under process. He further submitted that plot no.417 area 0.4190 hectare is recorded in the name of Sheetla Prasad and plot no.520 area 0.7330 hectare is recorded in the name of Sant Lal and others as Class 1 ka category tenure holder. He further submitted that in respect to plot no.43, 197, 200 & 472, cases

under Section 67 of U.P. Revenue Code, 2006 have been registered and the same are pending. He further submitted that in respect to plot no.472, which is recorded as banjar, appeal under Section 67 (5) of U.P. Revenue Code, 2006 is pending. He further submitted that appropriate action shall be taken by the authorities after disposal of the aforementioned pending proceeding. The particular of the pending cases as mentioned in para nos.4, 5, 6 & 7 of the instruction are as under:-

"i. T202615060501160, T202615060501161, T202615060501163, T202615060501164, T202615060501162, T202615060501165, T202615060501157, T202615060501156, T202615060501159, D202515060005039, D202515060005040. "

6. Considering the facts mentioned in the instruction, Tahsildar, Mehnagar, Azamgarh is directed to decide the aforementioned eleven cases, under Section 67 (1) of U.P. Revenue Code, 2006 after affording proper opportunity of hearing to the parties expeditiously. Respondent no.2/ District Magistrate is also directed to decide aforementioned two appeals under Section 67 (5) of U.P. Revenue Code, 2006 after affording proper opportunity of hearing to the parties expeditiously.

7. Learned counsel for the petitioner shall file reply to the facts mentioned in instruction within two weeks.

8. List this case in the daily cause list on 7.7.2026.

**(Chandra Kumar Rai,J.)**

**March 18, 2026**

Rameez