



HIGH COURT OF JUDICATURE AT ALLAHABAD

PUBLIC INTEREST LITIGATION (PIL) No. - 3680 of 2025

Gyani Yadav

.....Petitioner(s)

Versus

State Of U.P. And 11 Others

.....Respondent(s)

Counsel for Petitioner(s) : Anil Kumar Pathak, Chandra Pratap Singh

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

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Heard Mr. Anil Kumar Pathak, learned counsel for the petitioner, Mr. Rajesh Kumar Tiwari, learned Standing Counsel for the State-respondents and Mr. Hari Narayan Singh, learned counsel for the gaon sabha.

2. Learned counsel for the petitioner submitted that plot No.137 is recorded as banjar and private respondents are bhumidhar of adjacent plot No. 136. He submitted that proceeding under section 24 of U.P. Revenue Code, 2006 was initiated by private respondents and their plot was demarcated by the authorities. He submitted that private respondents are in illegal possession of plot No.137 also as such proper direction be issued for removal for encroachment from plot No.137. He further placed the police report, which is annexed as annexure No.3 in order to demonstrate that private respondents are illegal possession of plot No.137.

3. Mr. Rajesh Kumar Tiwari, learned Additional Chief Standing Counsel for the State-respondents placed the instruction dated 17.11.2025 sent by Sub Divisional Officer, Bhognipur, Kanpur Dehat, which is taken on record.

4. Mr. Rajesh Kumar Tiwari, learned Additional Chief Standing counsel for the State-respondents on the basis of the instruction submitted that over the area 1.7410 hectare of plot No.137,

national high way has been constructed and in respect to the remaining area 0.3400 hectare there is no encroachment. He submitted that allegation made in the instant public interest litigation in respect to the illegal possession over the plot in question by the tenure holder is totally false.

5. Learned counsel for the petitioner is disputing the fact mentioned in the instruction.

6. Learned Additional Chief Standing Counsel for the State-respondents is directed to serve the copy of the instruction to learned counsel for the petitioner during course of the day.

7. Learned counsel for the petitioner shall file reply to the facts mentioned in the instruction dated 17.11.2025 within ten day.

8. Put up this matter as fresh on 8.12.2025.

November 21, 2025

PS*

(Chandra Kumar Rai,J.)