

**Court No. - 2**

**Case :-** WRIT - C No. - 6048 of 2025

**Petitioner :-** Ajij Ahmad

**Respondent :-** State Of U.P. Thru. Secy. Deptt. Of Revenue  
Lko. And 7 Others

**Counsel for Petitioner :-** Vishun Narain, Sushant Kumar Kabir

**Counsel for Respondent :-** C.S.C.

**Hon'ble Alok Mathur, J.**

**Hon'ble Arun Kumar Singh Deshwal, J.**

1. Heard Sri Vishun Narain, learned counsel for the petitioner as well as learned Standing Counsel for the respondents.
2. It has been submitted by learned counsel for the petitioner that petitioner has purchased part of land of Gata No. 161, situated at Village - Mubarakpur, Pargana - Mahona, Tehsil - Bakshi Ka Talab, District - Lucknow. It is submitted that Gata No. 179 measuring 0.0530 hectares is recorded as Chak Road while Gata No. 183 has been recorded as 'nali' in the revenue records.
3. It is next submitted by learned counsel for the petitioner that over the land recorded as chak road and nali, encroachments have been made by the illegal encroachers, due to which proceedings under Section 67 of the U.P. Revenue Code have been initiated against illegal encroachers by the competent authority.
4. It is further submitted that the encroachers have moved an application before the Board of Revenue, who has passed an order holding an inquiry in the said matter.
5. It is the contention of the petitioner that once statutory proceedings under Section 67 of the U.P. Revenue Code were initiated and said proceedings were underway, the Board of Revenue has no jurisdiction to interfere in such proceedings until and unless final orders are passed under Section 67 of the U.P. Revenue Code.
6. It is also submitted by learned counsel for the petitioner that proceedings under Section 67 of the U.P. Revenue Code should proceed and conclude in accordance with law without being influenced by the impugned order dated 12.06.2025, passed by the Board of Revenue.

7. Learned Standing Counsel on the other hand has though opposed the writ petition, but could not dispute the aforesaid facts.

8. This Court is of the considered view that in case public utility land is being encroached upon by the illegal encroachers, then power is vested in the authority to make inquiry and impose penalty as per procedure prescribed under Section 67 of the U.P. Revenue Code, after giving full opportunity to the alleged encroachers against whom such proceedings have been initiated.

9. Accordingly, in the present case, we find that cases under Section 67 of the U.P. Revenue Code have been initiated and cases registered are Case Nos. T202510460400006, T202510460400007, T202510460400009 and T202510460400010, and accordingly, once proceedings have been initiated, it is incumbent upon the competent authority to proceed in accordance with law and conclude the same within 90 days period, which time period in the present case has expired.

10. Accordingly, this Court is of the considered view that the competent authority shall proceed and conclude the proceedings within next two months from the date of production of certified copy of this order. While passing such order, he shall not be influenced by any other order passed in the matter by the Board of Revenue, impugned in the present writ petition.

11. With aforesaid directions present writ petition stands **disposed of**.

**Order Date :- 25.6.2025**

A. Verma

(Arun Kumar Singh Deshwal, J.)

(Alok Mathur, J.)