HIGH COURT OF JUDICATURE AT ALLAHABAD

PUBLIC INTEREST LITIGATION (PIL) No. - 2534 of 2026

Shreenath Yadav

.....Petitioner(s)

Versus

State Of U.P. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Arvind Kumar Srivastava, Bhaju Ram Sharma
Counsel for Respondent(s)	:	Bhupendra Kumar Tripathi, C.S.C.

Court No. - 51

HON'BLE ARUN KUMAR, J.

1. Heard Sri Mool Chand Gupta, holding brief of Sri B. R. Sharma, learned counsel for the petitioner, and learned Standing Counsel for the State respondents. Sri B. K. Tripathi, Advocate has accepted notice on behalf of respondent Gaon Sabha.

2. The present petition has been filed seeking a direction to the revenue authorities to remove the illegal encroachment made by the encroachers over plot no. 3816 recorded as Pond in the revenue records relating to Village Tarahati, Tehsil Machhalishahar, District Jaunpur.

3. The petitioner relies upon Khatauni relating to 1418 to 1423 Fasli, which shows that plot no. 3816 area 0.3200 hectare is recorded in the name of Reeta Devi and Indrawati. In the remark column, an order dated 20.05.2014 passed by the Deputy District Magistrate, Machhalishahar has been entered, which shows that an area 0.089 hectare from the aforesaid plot has been directed to be expunged and recorded as Pond in the revenue records. The subsequent entries in the remark column shows that the consolidation proceedings had started in the village in which some objection under Section 9A(2) was filed wherein various orders have been passed. There is nothing on record to show that the consolidation proceedings have come to an end and final revenue records have been prepared. The orders passed during consolidation proceedings in respect of plot no. 3816 have also not been brought on record.

4. In view of the fact that the revenue records do not show the definite

status of old plot no. 3816 and in absence of any averment regarding finalization of consolidation proceedings, no enquiry regarding the allegations against existence of pond over plot no. 3816 can be directed at this stage. The petitioner can approach the consolidation authorities for redressal of his grievance, if the consolidation proceedings are still going on. If the same has come to an end, then there is possibility that a new plot number may have been carved out of the area of pond in plot no. 3816, in respect of which, fresh proceedings can be initiated by the petitioner, in accordance with law.

5. Subject to the above observations made, the present petition is disposed of.

(Arun Kumar,J.)

October 24, 2026
Ashok Kr.

Digitally signed by :-
ASHOK KUMAR
High Court of Judicature at Allahabad