HIGH COURT OF JUDICATURE AT ALLAHABAD

PUBLIC INTEREST LITIGATION (PIL) No. - 2538 of 2026

Sher Singh Rana

.....Petitioner(s)

Versus

State Of U.P. And 14 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Krishnakant Verun Kumar, Suneel Kumar
Counsel for Respondent(s)	:	C.S.C., Rameshwar Prasad Shukla, Vijay Singh

Court No. - 51

HON'BLE ARUN KUMAR, J.

1. Heard learned counsel for the petitioner, learned Standing Counsel for the State respondents, Sri Prem Bahadur Singh, holding brief of Sri R. P. Shukla, learned counsel for the respondent Gaon Sabha and Sri Vijay Singh, Advocate, who has filed a counter affidavit on behalf of respondent nos. 7, 9, 13 and 15 today in Court, which is taken on record.

2. The present petition has been filed issuance of a writ of mandamus directing the respondent nos. 2 to 4 to take action for removal of illegal encroachments made by the encroachers over plot nos. 356 recorded as Khalihan and 369 recorded as Navin Parti in the revenue records relating to Village Kaudiya, Tehsil Budhanpur, District Azamgarh.

3. It is contended by the learned counsel appearing for the respondent nos. 7, 9, 13 and 15 that the petitioner has made false averments in paragraph nos. 5 and 6 by concealing material fact about the private disputes between the petitioner and the contesting respondents existing, which is evident from the F.I.R. registered against the petitioner's brother. The Lekhpal has also lodged an F.I.R. against the petitioner for intimidating the revenue officials.

4. Learned Additional Chief Standing Counsel has placed before the Court instruction dated 23.10.2026, sent by the Deputy District Magistrate, Budhanpur, Azamgarh, which is taken on record.

5. Perusal of the aforesaid instruction shows that proceedings under Section 67 of the U.P. Revenue Code, 2006 have already been initiated against the encroachers in respect of plot no. 356. In respect of plot no. 369, a case is also pending under Section 67-A of the Code.

6. In view of the aforesaid, it is evident that appropriate proceedings against the encroachers are already pending consideration, therefore, no parallel enquiry is required to be conducted by this Court in the present PIL. It is expected from the revenue authorities that the proceedings pending consideration against the encroachers shall be brought to its logical end, in accordance with law.

7. 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