



2026:AHC:96025-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD
PUBLIC INTEREST LITIGATION (PIL) No. - 331 of 2026

Ravindra Ahlawat @ Ravindra Kumar

.....Petitioner(s)

Versus

State of U.P. and 4 others

.....Respondent(s)

Counsel for Petitioner(s)	: Shantanu, Raj Kumar Dhama
Counsel for Respondent(s)	: Diptiman Singh, Seema Agarwal, S.C.

Chief Justice's Court

HON'BLE ARUN BHANSALI, CHIEF JUSTICE
HON'BLE KSHITIJ SHAILENDRA, J.

1. This petition, purportedly in public interest, has been filed by an Advocate praying for a direction to respondents no. 2 and 3, i.e. Executive Engineer, Meerut Khand, Ganga Canal/Irrigation Department, Meerut and District Magistrate, Meerut to remove illegal encroachment made by respondent no. 5, i.e., Daurala Sugar Mill, Meerut (‘ the Mill’) over both sides of road of Daurala lower Rajwaha (Mini Canal) passing by the Mill, situated at Tehsil Sardhana, District Meerut.

2. Case of the petitioner is that Daurala lower Rajwaha is passing by the Mill and the road on both sides thereof has been encroached by the Mill by raising illegal constructions and since the road/rasta/track of both sides of the canal connects a large number of villages, encroachment is causing great inconvenience to the villagers. Further case is that on certain applications moved by the petitioner from time to time seeking to remove the encroachment, no action was taken by the respondents, except that on 05.12.2022, the Assistant Engineer of Ganga Canal, Meerut had indicated issuance of instructions for removal of encroachment, however, nothing happened thereafter and, therefore, direction as prayed for, be issued.

3. When the matter was initially heard on 09.02.2026, learned counsel appearing for respondent no. 5, the Mill, filed a compilation of certain documents while making serious allegations against the petitioner. Copy of the compilation was supplied to the learned counsel for the petitioner granting him time to seek instructions in the matter. Thereafter, a supplementary affidavit dated 16.03.2026 was filed by the petitioner and the matter was finally heard on 28.04.2026.

4. Learned counsel for the petitioner has made submissions that despite making an indication in the year 2022 regarding encroachment made by respondent no. 5 and instructions issued to Zildar to remove the same, nothing has happened so far and all the applications moved by the petitioner from time to time have gone in vein. Reference was made to various applications and photographs on record.

5. On the other hand, learned counsel for respondent no. 5 has attacked the credentials of the petitioner with reference to documents filed by him by submitting that the petitioner was working as Chairman of Cane Development Council and he always remained involved in multifarious activities of such nature which resulted in lodging of various First Information Reports against him. It is further submitted that the petitioner was found guilty in the inquiry conducted in relation to his actions, wherein he was purportedly acting for welfare of farmers and an order was passed on 12.04.2018 withdrawing his authorization. Challenge laid by him to the said order by means of Writ – C No. 39738 of 2019 was turned down by this Court by dismissing the said writ petition by order dated 09.12.2019. Details of following criminal cases, lodged against the petitioner from time to time, have also been given:-

(i) FIR No. 1022 of 2017, under Sections 504, 307 and 506 IPC, Police Station Sardhana, District Meerut.

(ii) FIR No. 0294 of 2019, under Sections 506, 323 and 386 IPC, Police Station Daurala, District Meerut.

(iii) FIR No. 0412 of 2019, under Sections 504, 307 and 323 IPC, Police Station Daurala, District Meerut.

6. It is, therefore, contended that the PIL has been filed by the petitioner having all *mala fides* against the officials of the Mill in question to settle his personal scores and is liable to be dismissed on this ground alone. As regards allegations of encroachment, submissions have been made that permission was granted to the Mill on 25.06.2018 by the Chief Engineer (Irrigation) to utilize strip of land (Rajwaha) in public interest subject to certain conditions indicated in the office memorandum of the said date, which conditions were never violated by the Mill and in the

inspection conducted on 26.12.2024, no encroachment was found existent and, taking note thereof, it was indicated in a letter dated 10.01.2025 issued by the Executive Engineer that even vehicles of farmers were conveniently moving from Rajwaha.

7. To these submissions made on behalf of respondent no. 5, counsel for the petitioner, with reference to the supplementary affidavit, has submitted that in all criminal cases, final report has been submitted by the Investigating Agency and, therefore, no criminal case is pending, however, the said statement has been denied by counsel for respondent no. 5 contending that matters are still pending before the criminal court, either in furtherance of submission of final reports or otherwise and status reports in relation to the cases registered at Crime Nos. 412 of 2019 and 1022 of 2017 have been placed before this Court, wherefrom pendency of such matters before the competent criminal court and continuous fixation of dates therein, stand reflected.

8. It is further submitted on behalf of respondent no. 5 that the Mill is functional since 1932 and over a period of more than 90 years, no one has ever raised any objection regarding alleged encroachment or inconvenience and it is only the petitioner who, after termination of his engagement as Chairman of Cane Development Council, is bent upon harassing the management of the Mill so as to lay pressure on the officials with whom the petitioner has remained in clash owing to his own unlawful activities, description whereof is contained in the First Information Reports brought on record.

9. Having heard learned counsel for the parties, we find that the petitioner did not disclose his credentials in the petition except

indicating that he is an advocate and passer-by of the disputed rasta. It was only when his credentials were attacked by means of compilation dated 09.02.2026, the petitioner filed supplementary affidavit admitting that he was working as Chairman of Cane Development Council for the period w.e.f. June, 2016 upto 2021.

10. As regards criminal cases, though stand has been taken in supplementary affidavit that in all the first information reports, final reports were submitted by the police and were duly accepted by the trial court and a copy of order dated 13.12.2021 passed by the Additional Chief Judicial Magistrate, Court no. 3, Meerut accepting the final report in Crime No. 412 of 2019 has been annexed, the petitioner has not disclosed that except the said one matter, other matters are pending before the courts in two other cases for acceptance/rejection of the final report and this fact having been brought to the notice of the Court on behalf of respondent no. 5, makes the intention of the petitioner clear that he is playing a game of hide and seek from the Court.

11. In the opinion of the Court, the petitioner has not approached this Court with clean hands and concealment of his status as Chairman of Cane Development Council at the first instance and indicating his credentials as an Advocate and a mere passer-by of the disputed rasta/rajwaha, in itself, reflects that his intention was not fair and it is only when his previous working status was brought to the notice of the Court on 09.02.2026, supplementary affidavit was filed on 16.03.2026 making disclosure of his previous engagement with the Mill. Further, false and incomplete disclosure has been made by him qua criminal cases.

12. Even as regards allegations of encroachment made by respondent no. 5 causing inconvenience to public, we are not inclined to accept the same in light of the documents brought on record by respondent no. 5 wherein, based upon inspection and inquiry, it has been reported and accepted that there is no encroachment and no inconvenience is being caused to the farmers, who are conveniently using the rasta.

13. As regards petitions filed in the nature of public interest litigation, the Hon'ble Supreme Court, in **State of Uttaranchal vs. Balwant Singh Chaufal**, 2010 AIR SCW 1029, after placing reliance on various judgments, in order to ensure that Writ jurisdiction may not be misused and abused by the unscrupulous litigants, issued various directions including those contained in paragraph 198 of the judgment, as under:-

“198. In order to preserve the purity and sanctity of the PIL, it has become imperative to issue the following directions:-

(1) The courts must encourage genuine and bona fide PIL and effectively discourage and curb the PIL filed for extraneous considerations.

(2) Instead of every individual judge devising his own procedure for dealing with the public interest litigation, it would be appropriate for each High Court to properly formulate rules for encouraging the genuine PIL and discouraging the PIL filed with oblique motives. Consequently, we request that the High Courts who have not yet framed the rules, should frame the rules within three months. The Registrar General of each High Court is directed to ensure that a copy of the Rules prepared by the High Court is sent to the Secretary General of this court immediately thereafter.

(3) The courts should prima facie verify the credentials of the petitioner before entertaining a P.I.L.

(4) The court should be prima facie satisfied regarding the correctness of the contents of the petition before entertaining a PIL.

(5) The court should be fully satisfied that substantial public interest is involved before entertaining the petition.

(6) The court should ensure that the petition which involves larger public interest, gravity and urgency must be given priority over other petitions.

(7) The courts before entertaining the PIL should ensure that the PIL is aimed at redressal of genuine public harm or public injury. The court should also ensure that there is no personal gain, private motive or oblique motive behind filing the public interest litigation.

(8) The court should also ensure that the petitions filed by busybodies for extraneous and ulterior motives must be discouraged by imposing exemplary costs or by adopting similar novel methods to curb frivolous petitions and the petitions filed for extraneous considerations.”

14. The Allahabad High Court, in furtherance of the directions issued by the Hon’ble Supreme Court, incorporated amendment in Rule 1 of Chapter XXII of the Rules and added sub-rule (3-A) therein, which reads as under:-

“(3-A) In addition to satisfying the requirements of the other rules in this chapter, the petitioner seeking to file a Public Interest Litigation, should precisely and specifically state, in the affidavit to be sworn by him giving his credentials, the public cause he is seeking to espouse; that he has no personal or private interest in the matter; that there is no authoritative pronouncement by the Supreme Court or High Court on the question raised; and that the result of the litigation will not lead to any undue gain to himself or anyone associated with him, or any undue loss to any person, body of persons or the State.”

15. The amended Rule clearly mandates that the petitioner seeking to file Public Interest Litigation petition should precisely and specifically disclose his credentials and, therefore, in case, the said requirement is not fulfilled by the petitioner, the High Court would be obliged to deal with such non-compliance and to test possibility of abuse and misuse of process of law by such litigants.

16. In **Janata Dal vs. H.S. Chowdhary, (1992) 4 SCC 305**, the Hon’ble Supreme Court observed that only a person acting

bonafide and having sufficient interest in the proceedings of Public Interest Litigation will alone have a *locus standi* and can approach the Court to wipe out the tears of the poor and needy, suffering from violation of their fundamental rights, but not a person for personal gain or private profit or political motive or any oblique consideration. It was further observed that vexatious petitions under the colour of PIL brought before the Court for vindicating any personal grievances, deserve rejection at the threshold.

17. In **Dr. B. Singh vs. Union of India and others**, (2004) 3 SCC 363, the Hon'ble Supreme Court has held that it would be desirable for the courts to filter out the frivolous petitions and dismiss them with cost so that the message goes in the right direction that petitions filed with oblique motive do not have the approval of the Courts. It was also observed that when there is material to show that a petition styled as a Public Interest Litigation is nothing but a camouflage to foster personal disputes or vendetta to bring to terms a person, not of ones liking, or gain publicity or a facade for blackmail, said petition has to be thrown out.

18. In **Buddhi Kota Subbarai (Dr.) Vs. K. Parasaran**, (1996) 5 SCC 530, the Hon'ble Supreme Court has held that no litigant has a right to unlimited drought on the court time and public money in order to get his affairs settled in the manner as he wishes. Easy access to justice should not be misused as a licence to file misconceived or frivolous petitions.

19. In **Prestige Lights Limited Vs. State Bank of India**, (2007) 8 SCC 449, the Hon'ble Supreme Court observed that a prerogative

remedy is not a matter of course and in exercising extraordinary power, a Writ Court will indeed bear in mind the conduct of the party who is invoking such jurisdiction. If the applicant does not disclose full facts or suppresses relevant materials or is otherwise guilty of misleading the Court, the Court may dismiss the action without adjudicating the matter. It was further observed that the rule has been evolved in larger public interest to deter unscrupulous litigants from abusing the process of Court by deceiving it and the very basis of the writ jurisdiction rests in disclosure of true, complete and correct facts.

20. In **K.D Sharma Vs. Steel Authority of India Limited and others, (2008) 12 SCC 481**, the Hon'ble Supreme Court has held that no litigant can play "hide and seek" with the courts or adopt "pick and choose" and one should come with candid facts and clean breast. Suppression or concealment of material facts is forbidden to a litigant or even as a technique of advocacy. In such cases, the Court is duty bound to discharge rule *nisi* and such applicant is required to be dealt with for contempt of Court for abusing the process of the court.

21. In view of the above discussion, we are satisfied that the instant petition is a gross misuse and abuse of process of law and deserves dismissal with cost so that it may set a deterrent example to discard unscrupulous persons from invoking Writ Jurisdiction for their vested interest under the camouflage of PIL.

22. The petition is **dismissed with cost of Rs. 25,000/- (rupees twenty five thousand)**.

23. The petitioner is directed to deposit the cost before the Registrar General of this Court within **three weeks** from the date

of this order, failing which, respondent No. 5 may move an application before the Registrar General who will then send a copy of this order alongwith his letter to the Collector, Meerut to issue a recovery citation against the petitioner for recovering the said sum as arrears of land revenue within **one month** from the date of receipt of copy of the order.

24. Since the petitioner is an Advocate and has also been involved in criminal cases based upon allegations which we do not want to indicate in this order, we suggest as well as warn him not to indulge in such acts which may give rise to harsher action by this Court.

(Kshitij Shailendra, J) (Arun Bhansali, CJ)

April 28, 2026

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